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## *Detailed Fiscal Analysis*

### **Nonbinding arbitration**

The bill adds a step to the current process that classroom teachers and district boards of education must follow when negotiating a collective bargaining agreement. In particular, if an impasse is reached in the negotiating process, both parties must submit the issues to which they cannot agree to nonbinding arbitration before the teachers are permitted to strike. The costs of the arbitrator are to be shared by the district and the teachers. This provision, therefore, may increase the district's costs. However, if the arbitration succeeds in preventing a strike, the savings to the district may outweigh the costs of arbitration.

### **School days during strike do not count toward required minimum**

State law requires schools to be open a minimum number of days each school year in order for the district to be eligible to receive state aid the following school year. The bill stipulates that any days schools are open during a strike of classroom teachers do not count toward that minimum. Under the bill, therefore, districts are required to make up any days teachers do not work because of a strike. The bill does permit the district to apply for a waiver from the Superintendent of Public Instruction if there are not enough days left in the school year to make up all the required days. The decision to grant the waiver is made by the Controlling Board based on the recommendation of the Superintendent.

School districts often employ a strike management company to hire replacement teachers and security workers in order to keep schools open during a teacher strike. The bill creates an incentive for districts to close schools during a strike since they will need to make up the days even if they remain open. Classroom teachers are not entitled to pay or compensation from the school district while engaged in a strike. Presumably, therefore, the savings from closing the schools during the strike will offset much of the cost of making up the days.

According to data from the State Employment Relations Board, there have been 70 classroom teacher strikes in Ohio since 1984 averaging approximately 15 calendar days in duration. More recently, there have been eight strikes involving classroom teachers over the past nine years with no more than two strikes occurring in any given fiscal year.

### **Peace officers**

The bill expands the current prohibition on striking to include certain people who are required to have peace officer basic training and have arrest powers, but who may not be included in the current law prohibition because they are not members of a police department. This includes special police officers as well as certain investigators employed by the Department of Taxation and the Bureau of Criminal Identification and Investigation. This provision will save the state and local public employers of these individuals the cost of any potential strikes, which would mainly be the cost of replacing these employees during the strike.

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