HOUSE ENROLLED ACT No. 1170

AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 36-8-22.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]:

Chapter 22.5. Public Safety Agreements

Sec. 1. As used in this chapter, "employee organization" means a union or other entity that works in whole or in part for the common interest of employees.

Sec. 2. As used in this chapter, "unit" has the meaning set forth in IC 36-1-2-23.

Sec. 3. As used in this chapter, "written agreement" means a written agreement that:

1. a unit executes after June 30, 2019, with an employee organization for the unit's fire or police department employees; and
2. includes terms regarding employee:
   (A) salary;
   (B) wages; and
   (C) salary and wage related fringe benefits, including health insurance, disability, retirement benefits, and paid time off.

Sec. 4. (a) This section does not apply to a written agreement if:

1. an ordinance or resolution of the unit; or
(2) a provision in the written agreement between the unit and employee organization; establishes a procedure for resolution of an impasse in negotiations through mediation, arbitration, or other alternative dispute resolution.

(b) If the parties are unable to reach an agreement in the negotiations within one (1) year after the date that the written agreement expires, the matter shall be submitted to nonbinding mediation. The written agreement must specify the following:

1. The manner in which parties select a mediator. The parties may select a mediator through the Federal Mediation and Conciliation Service, or some other organization or method.
2. The manner and extent to which the parties share the costs of the mediation.

Sec. 5. Notwithstanding any other law, a written agreement shall include a provision that requires the terms and conditions of the written agreement to continue without any change, including salary, wages, and benefits for any employee, if an impasse in negotiations is reached. The terms and conditions of the written agreement end and no longer bind the parties upon the occurrence of the earlier of the following:

1. The mediation, arbitration, or other alternative dispute resolution process does not result in the parties reaching an agreement in the negotiations.
2. The parties execute a new written agreement.
Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: ________________  Time: ________________

HEA 1170 — Concur