

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

228C0380

SENATE BILL NO. 153

Introduced by: Senators Munson (David), Brosz, Dunn (Rebecca), Everist, Kloucek, Moore, Olson, Reedy, and Symens and Representatives Kooistra, Brooks, Crisp, Fischer-Clemens, Haley, Koetzle, Lucas, McIntyre, and Roe

1 FOR AN ACT ENTITLED, An Act to revise and establish certain provisions related to
2 recommendations for the settlement of labor disputes.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 60-10-2 be amended to read as follows:

5 60-10-2. If its efforts as conciliator prove unsuccessful, the Department of Labor shall, if
6 requested by either party, impartially investigate the matters in difference between the parties.
7 The request to the department shall be mailed within twenty days after the conclusion of the
8 conciliation procedure provided for in § 60-10-1. The department shall give each party ample
9 opportunity for presentation of the facts and shall make a report of the issues involved and a
10 recommendation for settlement of the controversy. The department shall provide rationale for
11 each recommendation it makes for settlement of the controversy. The department shall furnish
12 a copy of its recommendation to each of the parties and to any local newspaper for publication
13 for the information of the public. The Department of Labor shall promulgate rules pursuant to
14 chapter 1-26 to establish the criteria upon which its recommendation for the settlement of labor
15 disputes will be based.

16 Section 2. That chapter 60-10 be amended by adding thereto a NEW SECTION to read as

1 follows:

2 Upon receipt of a recommendation for settlement of a labor dispute issued pursuant to § 60-
3 10-2, the public employer shall:

4 (1) Publish the recommendation and the rationale for the recommendation for the
5 settlement of the labor dispute, along with the date scheduled for a public meeting
6 where action on the recommendation will be taken, in the newspaper that has been
7 designated for publication of official records of the employer;

8 (2) Provide notice pursuant to § 1-25-1.1 of the public meeting where action on the
9 recommendation will be taken;

10 (3) Conduct as public meeting to provide interested parties a reasonable opportunity to
11 comment on the recommendations for settlement of the labor dispute; and

12 (4) Take official action on each recommendation for settlement of the labor dispute. The
13 public employer shall provide rationale for the action taken on each recommendation.