

IC 20-29-3

Chapter 3. Indiana Education Employment Relations Board

IC 20-29-3-1

Establishment of board

Sec. 1. The Indiana education employment relations board is established.

As added by P.L.1-2005, SEC.13.

IC 20-29-3-2

Members

Sec. 2. The board consists of three (3) members appointed by the governor to serve at the governor's pleasure.

As added by P.L.1-2005, SEC.13.

IC 20-29-3-3

Chairperson

Sec. 3. The governor shall designate one (1) member of the board to serve as chairperson.

As added by P.L.1-2005, SEC.13.

IC 20-29-3-4

Political affiliation of board members

Sec. 4. Not more than two (2) members of the board may be members of the same political party.

As added by P.L.1-2005, SEC.13.

IC 20-29-3-5

Terms and vacancies

Sec. 5. Each member of the board is appointed for a term of four (4) years. A member appointed to fill a vacancy is appointed for the unexpired term of the member whom the appointed member is to succeed.

As added by P.L.1-2005, SEC.13.

IC 20-29-3-6

Qualifications

Sec. 6. Members may not:

(1) hold:

(A) another public office; or

(B) employment by the state, a public agency, or a public employer;

(2) be an officer or employee of a school employee organization or any affiliate of an organization; or

(3) represent a:

(A) school employer; or

(B) school employee organization, or an organization's affiliates.

As added by P.L.1-2005, SEC.13.

IC 20-29-3-7**Member on university teaching staff**

Sec. 7. Section 6 of this chapter does not apply to an individual on the teaching staff of a university who is knowledgeable in public administration or labor law if the individual is not actively engaged, other than as a member, with any labor or employee organization. This section shall be construed liberally to effectuate the intent of the general assembly.

As added by P.L.1-2005, SEC.13.

IC 20-29-3-8**Chairperson's duties**

Sec. 8. The chairperson of the board shall give full time to the chairperson's duties and may not engage in any other business, vocation, or employment.

As added by P.L.1-2005, SEC.13.

IC 20-29-3-9**Compensation**

Sec. 9. The members of the board (other than the chairperson) receive as compensation payment equal to that of the chairperson, computed on a daily rate and paid for every day actually spent serving on the board.

As added by P.L.1-2005, SEC.13.

IC 20-29-3-10**Quorum**

Sec. 10. Two (2) members of the board constitute a quorum.

As added by P.L.1-2005, SEC.13.

IC 20-29-3-11**Powers**

Sec. 11. The board has the following powers:

- (1) To adopt an official seal and prescribe the purposes for which the seal may be used.
- (2) To hold hearings and make inquiries as the board considers necessary to carry out properly the board's functions and powers.
- (3) To establish a principal office in Indianapolis.
- (4) To meet and exercise the board's powers at any other place in Indiana.
- (5) To conduct in any part of Indiana a proceeding, a hearing, an investigation, an inquiry, or an election necessary to the performance of the board's functions. For this purpose, the board may designate one (1) member, or an agent or agents, as hearing examiners. The board may use voluntary and uncompensated services as needed.
- (6) To appoint staff and attorneys as the board finds necessary for the proper performance of its duties. The attorneys appointed under this section may, at the direction of the board, appear for

and represent the board in court.

(7) To pay the reasonable and necessary traveling and other expenses of an employee, a member, or an agent of the board.

(8) To subpoena witnesses and issue subpoenas requiring the production of books, papers, records, and documents that may be needed as evidence in any matter under inquiry, and to administer oaths and affirmations. In cases of neglect or refusal to obey a subpoena issued to a person, the circuit or superior court of the county in which the investigations or the public hearings are taking place, upon application by the board, shall issue an order requiring the person to:

(A) appear before the board; and

(B) produce evidence about the matter under investigation.

A failure to obey the order may be punished by the court as a contempt. A subpoena, notice of hearing, or other process of the board issued under this chapter shall be served in the manner prescribed by the Indiana Rules of Trial Procedure.

(9) To adopt, amend, or rescind rules the board considers necessary and administratively feasible to carry out this chapter under IC 4-22-2.

(10) To request from any public agency the assistance, services, and data that will enable the board properly to carry out the board's functions and powers.

(11) To publish and report in full an opinion in every case decided by the board.

As added by P.L.1-2005, SEC.13.

IC 20-29-3-12

Repealed

(Repealed by P.L.48-2011, SEC.39.)

IC 20-29-3-13

Repealed

(Repealed by P.L.48-2011, SEC.39.)

IC 20-29-3-14

Research division

Sec. 14. The board's research division must be organized to provide:

(1) statistical data on the resources of each school corporation;

(2) the substance of any agreements reached by each school corporation; and

(3) other relevant data.

As added by P.L.1-2005, SEC.13.