



State of Alaska
LABOR RELATIONS AGENCY

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C. R. "STEVE" HAFLING
CHAIRMAN
RONALD M. HENRY
MORGAN REED

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CONSULTANT

ORDER AND DECISION NO. 55
PERTAINING TO PETITION NO.
79-3 FILED BY THE ALASKA
COMMUNITY COLLEGES FEDERATION
OF TEACHERS LOCAL 2404 SEEKING
PERMISSION TO HOLD A STRIKE VOTE

FINDINGS OF FACT

The Alaska Community Colleges Federation of Teachers filed the above-referenced Petition seeking to hold a strike vote with regard to certain unfair labor practices, so that it could obtain permission from its membership to strike in the event the Union failed to correct alleged unfair labor practices which were the subject of an unfair labor practice charge decided by this Agency in Order and Decision No. 54. It is the position of the Agency that under the provisions of A.S.23.40.070 et. seq., public employees do not have the right to strike except to the extent such a right is granted by the Legislature. In the State of Alaska, that right was granted by A.S.23.40.200 as an adjunct to the collective bargaining process to be used in situations where collective bargaining has reached an impasse and all other remedial procedures outlined by the statute have been exhausted. In the present situation, the

Agency finds as a matter of fact that the parties are negotiating, bargaining has not broken down, and that mediation, required by A.S.23.40.200(c), has not been attempted. The Agency concludes as a matter of law, that the petitioner is not entitled to hold a strike vote.

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It is therefore the Order of the Alaska Labor Relations Agency that the petition is denied.

DATED this 26 day of October, 1979.

SIGNED: C. R. "Steve" Hafling
C. R. "Steve" Hafling, Chairman

SIGNED: Ronald M. Henry
Ronald M. Henry, Member

SIGNED: Morgan Reed
Morgan Reed, Member