# OKLAHOMA

# STATUTES

**Title 11, § 51-200 et seq**

**THE OKLAHOMA MUNICIPAL EMPLOYEE COLLECTIVE BARGAINING ACT**

**Effective November 1, 2004**

Added by Laws 2004, SB 1529, c. 62, § 1

Notice: Although we have made every effort to assure they are correct, they are not warranted as to accuracy. In addition to the official published volumes, Oklahoma statutes may be accessed at several state websites, which include www.oscn.net and www.lsb.state.ok.us

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**§ 51-200. Short Title**
This act shall be known and may be cited as the "Oklahoma Municipal Employee Collective Bargaining Act".

**§ 51-201. Policies and purpose**
The Legislature of the State of Oklahoma declares that it is the public policy of this state and the purpose of the Legislature in the enactment of this act to promote orderly and constructive employment relations between municipal employers and their employees, to increase the efficiency of state and local government throughout the state, and to ensure the health and safety of the citizens of this state. The Legislature has determined that these policies and purposes may best be accomplished by:

**1.** Granting to municipal employees the right to associate with others in organizing and choosing representatives for the purpose of collective bargaining;

**2.** Requiring municipal employers to recognize, negotiate and bargain with employee organizations representing municipal employees and to enter into written agreements evidencing the result of bargaining; and

**3.** Encouraging labor peace through the establishment of standards and procedures which protect the rights of the municipal employer, the municipal employee and the citizens of this state.

**§ 51-202. Definitions**
As used in this act:

**1.** "Arbitration" means the procedure whereby the parties involved in an impasse or grievance dispute submit their differences to a third party for a final and binding decision or as otherwise provided in this act;

**2.** "Board" means the Public Employees Relations Board (PERB) established pursuant to § 51-104 of Title 11 of the Oklahoma Statutes;

**3.** "Collective bargaining", "bargain collectively" or "negotiate" means to perform the mutual obligation of the municipal employer, by its representatives, and the representatives of its employees to negotiate in good faith at reasonable times and places with respect to wages, hours, and other terms and conditions of employment and the continuation, modification, or deletion of an existing provision of a collective bargaining agreement, with the intention of reaching an agreement, or to resolve questions arising under the agreement. This includes executing a written contract by incorporating the terms of any agreement reached. The obligation to bargain collectively does not mean that either party is compelled to agree to a proposal, nor does it require the making of a concession;

**4.** "Confidential employee" means any municipal employee who acts in a confidential capacity to an individual who formulates or effectuates management policies in the field of labor management relations;

**5.** "Employee organization" means an organization in which municipal employees participate and which exists for the purpose, in whole or in part, of dealing with municipal employers concerning grievances, labor disputes, wages, hours and other terms and conditions of employment;

**6.** "Exclusive bargaining representative" means an employee organization certified as the exclusive bargaining representative by the Board pursuant to the provisions of this act or recognized as the exclusive bargaining representative by the municipal employer on December 31, 2004;

**7.** "Governing body" means the city council of a city, the board of trustees of a town, or the legislative body of a municipality, as it may be defined by applicable law or charter provision;

**8.** "Impasse" means the failure of a municipal employer and the exclusive bargaining representative to reach agreement in the course of negotiations;

**9.** "Management official" means an individual employed by a municipal employer in a position the duties and responsibilities of which require or authorize the individual to formulate, determine, or substantially influence the policies of the municipal employer;

**10.** "Mediation" means assistance by an impartial third party to reconcile an impasse between the municipal employer and the exclusive bargaining representative regarding wages, hours, and other terms and conditions of employment through interpretation, suggestion, and advice;

**11.** "Municipal employee" means any individual employed by a municipal employer, except individuals exempted under the provisions of § 4 of this act;

**12.** "Municipal employer" means municipalities in this state, as defined in § 1-102 of Title 11 of the Oklahoma Statutes, with a population greater than thirty-five thousand (35,000) persons and any special districts, authorities, agencies and boards created by such municipalities; provided, however, that for purposes of this act such term shall exclude public school districts as defined in § 1-108 of Title 70 of the Oklahoma Statutes; county governments and municipalities with a population of less than thirty-five thousand (35,000) persons;

**13.** "Strike" means, in concerted action with others, an employee's refusal to report to duty, or willful absence from his or her position, or stoppage of work, or abstinence in whole or in part from the full, faithful, and proper performance of the duties of employment, for the purpose of inducing, influencing, or coercing a change in the conditions, compensation, rights, privileges, or obligations of employment; and

**14.** "Supervisor" means an employee who devotes a majority of work time to supervisory duties, who customarily and regularly directs the work of two or more other employees and who has the authority, in the interest of the employer, to hire, promote or discipline other employees but does not include individuals who perform merely routine, incidental or clerical duties or who occasionally assume supervisory or directory roles or whose duties are substantially similar to those of their subordinates and does not include lead employees, employees who participate in peer review, employee involvement programs or occasional employee evaluation programs.

### § 51-203. Employees excluded

The following public employees shall be excluded from the provisions of this act:

**1.** Elected officials and persons appointed to fill vacancies in elected offices, and members of any board or commission;

**2.** Representatives of a municipal employer, including the administrative officer, director, or chief executive officer of a municipal employer, or major division thereof, as well as his or her deputy, first assistant, and any non-bargaining unit supervisory employees; provided, however, that nothing herein shall be construed to prohibit a municipal employer from bargaining with, and entering into a contract with, a labor organization certified to represent a separate unit comprised solely of supervisors;

**3.** Confidential employees;

**4.** Temporary employees employed for a period of four (4) months or less in any twelve-month period;

**5.** Patients and inmates employed, sentenced or committed to any state or local institution;

**6.** Firefighters and police officers as defined in § 51-102 of Title 11 of the Oklahoma Statutes;

**7.** Employees of school districts as defined in § 509.2 of Title 70 of the Oklahoma Statutes;

**8.** Employees of institutions of the Oklahoma State System of Higher Education as defined in § 3201 of Title 70 of the Oklahoma Statutes;

**9.** Employees of county governments; and

**10.** Employees of the State of Oklahoma, as defined in § 840-1.3 of Title 74 of the Oklahoma Statutes.

### § 51-204. Administration of act–List of mediators and arbitrators–Hearings–Rules

The Public Employees Relations Board as established in § 51-104 of Title 11 of the Oklahoma Statutes, shall:

**1.** Administer the provisions of this act;

**2.** Maintain, after consulting with exclusive bargaining representatives and municipal employers, a list of qualified persons representative of the public to be available to serve as mediators, and arbitrators and establish their compensation rates;

**3.** Hold hearings and administer oaths, examine witnesses and documents, take testimony and receive evidence, issue subpoenas to compel the attendance of witnesses and the production of records, and delegate such power to a member of the Board, or persons appointed or employed by the Board, including hearing officers for the performances of its functions. In cases of refusal to obey a subpoena issued by the Board, the district court of the district where the person refusing to obey the subpoena may be found, on application by the Board, may issue an order requiring the person to appear before the Board and to testify and produce evidence ordered relating to the matter under investigation, and any failure to obey such order shall be punished by the court as a contempt thereof; and

**4.** Adopt rules as it may deem necessary to carry out the purposes of this act.

### § 51-205. Powers of employer

Unless limited by the provisions of a collective bargaining agreement or by other statutory provisions, a municipal employer may:

**1.** Direct the work of, hire, promote, assign, transfer, demote, suspend, discharge or terminate municipal employees;

**2.** Determine qualifications for employment and the nature and content of personnel examinations; and

**3.** Take actions as may be necessary to carry out the mission of the municipal employer in emergencies.

### § 51-206. Powers of employees

Municipal employees may:

**1.** Organize, or form, join, or assist any employee organization;

**2.** Negotiate collectively through representatives of their own choosing; and

**3.** Engage in other concerted activities for the purposes of collective bargaining or other mutual aid or protection insofar as any the activity is not prohibited by this act or any other law of this state.

### § 51-207. Negotiation in good faith–Collective bargaining agreement

**A.** The municipal employer and an employee organization which is the exclusive bargaining representative shall meet at reasonable times, including meetings reasonably in advance of the municipality's budget-making process, to negotiate in good faith with respect to wages, hours, and other terms and conditions of employment exclusive of retirement programs established pursuant to § 903 of Title 74 of the Oklahoma Statutes. The municipal employer shall negotiate only with the exclusive bargaining representative on matters contained in this act. Such obligation to negotiate in good faith does not compel either party to agree to a proposal or make a concession. Neither the municipal employer nor the exclusive bargaining representative shall be required to negotiate over any matter that is inconsistent with state law and the parties may negotiate and reach agreement with regard to the matter only if it is understood that the agreement with respect to the matter cannot become effective unless the applicable law is amended by the Legislature.

**B.** The collective bargaining agreement negotiated between the employer and the exclusive bargaining representative shall contain a grievance resolution procedure which shall apply to all employees in the bargaining unit and shall provide for final and binding arbitration of grievances pertaining to employment terms and conditions and related personnel matters including questions of arbitrability and appeal of disciplinary and other employment actions.

**C.** The collective bargaining agreement negotiated between the employer and the exclusive bargaining representative shall also include a provision for the checkoff of initiation fees and dues to the labor organization. During the time that a board certification is in effect for a particular appropriate bargaining unit, the employer shall not deduct dues for any other labor organization.

### § 51-208. Prohibited practices

**A.** It shall be a prohibited practice for any municipal employer or exclusive bargaining representative to refuse to negotiate in good faith with respect to the scope of negotiations as defined in § 8 of this act.

**B.** It shall be a prohibited practice for a municipal employer, its designated representatives, or its supervisors to:

**1.** Interfere with, restrain or coerce municipal employees in the exercise of rights granted by this act;

**2.** Dominate or interfere in the administration of any employee organization;

**3.** Encourage or discourage membership in any employee organization, committee, or association or take a position for or encourage or discourage exclusive representation of employees;

**4.** Discharge or discriminate against any employee because he or she has filed an affidavit, petition, or complaint or given any information or testimony under this act, or because he or she has formed, joined, or chosen to be represented by any exclusive bargaining representative;

**5.** Refuse to negotiate collectively with representatives of any employee organization which is an exclusive bargaining representative as required in this act;

**6.** Deny the rights accompanying certification or exclusive recognition granted in this act;

**7.** Refuse to participate in good faith in any agreed upon impasse procedures or those set forth in this act; and

**8.** Refuse to reduce a collective bargaining agreement to writing and sign such agreement.

**C.** It shall be a prohibited practice for an employee organization or its agents willfully to:

**1.** Interfere with, restrain, or coerce any municipal employee with respect to any of the rights under this act or in order to prevent or discourage his or her exercise of any such right;

**2.** to cause or attempt to cause a municipal employer to discriminate against any employee in the exercise by the employee of any right under this act;

**3.** Refuse to bargain collectively with the municipal employer as required in this act;

**4.** Refuse to participate in good faith in any agreed upon impasse procedures or those set forth in this act; and

**5.** Violate the impasse provisions of this act, which hereby are made applicable to municipal employers, municipal employees and exclusive representatives.

### § 51-209. Charging of violation–Hearing–Appeal

**A.** Proceedings against a party alleging a violation of § 9 of this act shall be commenced by filing a charge with the Public Employees Relations Board within six (6) months of the alleged violation, or knowledge thereof, causing a copy of the charge to be served upon the accused party in the manner of an original notice as provided in § 20 of this act. The accused party shall have ten (10) days within which to file a written answer to the charge. The Board may conduct a preliminary investigation of the alleged violation, and if the Board determines that the charge has no legal or factual basis, it may dismiss the charge. If it does not dismiss the charge, the Board shall promptly thereafter set a time and place for a hearing in the county where the alleged violation occurred or in the county where the Board maintains its principal office. The parties shall be permitted to be represented by counsel or other designated representative, summon witnesses, and request the Board to subpoena witnesses on the requester's behalf. Compliance with the technical rules of pleading and evidence shall not be required.

**B.** The Board may designate a hearing officer to conduct the hearing. The hearing officer shall have such powers as may be exercised by the Board for conducting the hearing and shall follow the procedures adopted by the Board for conducting the hearing. The decision of the hearing officer may be appealed to the Board and the Board may hear the case de novo or upon the record as submitted before the hearing officer.

**C.** The Board shall provide for an official written transcript to report the proceedings and the Board shall affix the reasonable amount of compensation for the service, which amount shall be taxed as other costs.

**D.** The Board shall file its findings of fact and conclusions of law. If the Board finds that the party accused has committed a prohibited practice, the Board may issue an order directing the party to cease and desist engaging in the prohibited practice and may order such other affirmative relief as is necessary to remedy the prohibited practice. The Board may petition the district court for enforcement of its orders.

**E.** Any party aggrieved by any decision or order of the Board may, within ten (10) days from the date the decision or order is filed, appeal to the district court to obtain judicial review of an order of the Board entered under this act in the district court of the judicial district in which the Board maintains its principal office, the judicial district in which the municipal employer maintains its principal office, or the judicial district in which the charge arose. The Board and all parties of record in the proceedings before the Board shall be named as parties to the appeal. In any judicial review proceeding, the employee organization may sue or be sued as an entity and on behalf of the employees whom it represents. The service of legal process, summons or subpoena upon an officer or agent of the employee organization in his or her capacity as such shall constitute service upon the employee organization.

**F.** Within thirty (30) days after a notice of appeal is filed with the Board, it shall make, certify, and file in the office of the district court clerk to which the appeal is taken, a full and complete transcript of all documents in the case, including any depositions and a transcript or certificate of the evidence together with the notice of appeal.

**G.** The transcript as certified and filed by the Board shall be the record on which the appeal shall be heard, and no additional evidence shall be heard. In the absence of fraud, the findings of fact made by the Board shall be conclusive if supported by substantial evidence on the record considered as a whole.

**H.** Any order or decision of the Board may be modified, reversed, or set aside on one or more of the following grounds and on no other:

**1.** If the Board acts without or in excess of its power;

**2.** If the order was procured by fraud or is contrary to law;

**3.** If the facts found by the Board do not support the order; or

**4.** If the order is not supported by substantial evidence on the record considered as a whole.

**I.** I. When the district court, on appeal, reverses or sets aside an order or decision of the Board, it may remand the case to the Board for further proceedings in harmony with the holdings of the court, or it may enter the proper judgment, as the case may be. Such judgment or decree shall have the same force and effect as if action had been originally brought and tried in such court. The assessment of costs in the appeals shall be at the discretion of the court.

### § 51-210. Prior collective bargaining agreements–Determination of bargaining unit

**A.** Nothing in this act shall be construed to annul or modify any collective bargaining agreement entered into between an employer and exclusive representative prior to the effective date of this act or impair a recognition of an exclusive bargaining representative in existence prior to the effective date of this act.

**B.** The Board determination of an appropriate bargaining unit shall be made upon a petition being filed by an employee organization.

**C.** Within thirty (30) days of receipt of a petition the Public Employees Relations Board shall conduct a public hearing, receive written or oral testimony, and promptly thereafter file an order defining the appropriate bargaining unit. In defining the unit, the Board shall take into consideration, along with other relevant factors: the desires of the employees; the community of interest including the existence of clearly identifiable crafts among employees; wages, hours, and other working conditions of the municipal employees; the effect of over-fragmentation; the administrative structure of the municipal employer; the recommendation of the parties; and the history of collective bargaining. The Board determination of an appropriate unit shall not be subject to judicial review.

### § 51-211. Petition of employee organization–Certification and decertification–Investigation of allegations

**A.** Board certification of an employee organization as the exclusive bargaining representative of a bargaining unit shall be upon a petition filed with the Public Employees Relations Board by a municipal employee or an employee organization and an election pursuant to § 13 of this act or upon administratively acceptable evidence that a majority of bargaining unit employees have authorized an employee organization to represent them for the purposes of collective bargaining.

**B.** A petition of an employee organization for a representation election shall be accompanied by written evidence that thirty percent (30%) of the municipal employees have authorized it to represent them for the purposes of collective bargaining. A petition by an employee organization for certification without an election shall be accompanied by written evidence alleging that a majority of the municipal employees have authorized it to represent them for the purposes of collective bargaining. Upon validating the evidence that a majority of the municipal employees in a bargaining unit have authorized it to represent them for the purposes of collective bargaining, the Board shall certify the employee organization as the exclusive representative of the bargaining unit unless another employee organization submits written evidence within fifteen (15) days of the initial petition that thirty percent (30%) of such municipal employees have authorized it to represent them for the purposes of collective bargaining. In the event of a competing request for recognition and certification, the Board shall conduct an election in accordance with § 13 of this act.

**C.** For the purpose of decertification, the petition of a municipal employee or employee organization shall allege that an employee organization which has been certified or recognized as the exclusive bargaining representative of an appropriate unit does not represent a majority of the municipal employees and that the petitioners do not want to be represented by an employee organization or seek certification of a different employee organization. The petition shall be accompanied by written evidence that fifty percent (50%) of the employees do not want to be represented by the exclusive representative employee organization or seek certification of a different employee organization. Upon validation of the fifty percent (50%) showing of interest, the Board shall conduct a secret ballot election in accordance with § 13 of this act.

**D.** The Board shall investigate the allegations of any petition and shall give reasonable notice of the receipt of the petition to all municipal employees, employee organizations, and municipal employers named or described in such petitions or interested in the representation question. When necessary, the Board shall call an election under § 13

of this act within thirty (30) days of receipt of a petition unless it finds that less than thirty percent (30%) of the municipal employees in the unit appropriate for collective bargaining support the petition for certification, or it finds that less than fifty percent (50%) of employees in the unit appropriate for collective bargaining support the petition for decertification, or the appropriate bargaining unit has not been determined pursuant to § 11 of this act.

**E.** The hearing and appeal procedures shall be the same as provided for in § 10 of this act.

### § 51-212. Representation election

**A.** Whenever a petition for an election is filed by an employee or employee organization containing the signatures of at least thirty percent (30%) of the municipal employees in an appropriate bargaining unit, or containing the signatures of at least fifty percent (50%) of the municipal employees in an appropriate unit in the case of decertification, the Public Employees Relations Board shall conduct a secret ballot representation election to determine whether the municipal employees in the appropriate bargaining unit wish to be represented by an exclusive bargaining representative. The ballot shall contain the names of the petitioning employee organization, any employee organization submitting, within fifteen (15) days of the initial petition, a petition containing signatures of at least thirty percent (30%) of the municipal employees within the appropriate bargaining unit, and any incumbent labor organization. The ballot shall also contain a choice of no representation.

**B.** If none of the choices on the ballot receives the vote of a majority of the municipal employees voting, the Board shall, within thirty (30) days, conduct a run-off election among the two choices receiving the greatest number of votes.

**C.** Upon written objections filed by any party to the election within ten (10) days after notice of the results of the election, if the Board finds that misconduct or other circumstances prevented the municipal employees eligible to vote from freely expressing their preferences, the Board may invalidate the election and hold a second or subsequent election for the municipal employees.

**D.** Upon completion of a valid election in which the majority choice of the bargaining unit employees voting is determined, the Board shall certify the results of the election within fifteen (15) days of the notice of results of the election if no timely written objections are filed or within five (5) days of validating the election upon a finding that filed objections did not prevent the employees eligible to vote from freely expressing their preferences, and shall give reasonable notice to all employee organizations listed on the ballot, the municipal employers, and the municipal employees in the appropriate bargaining unit. An employee organization which is the majority choice of the bargaining unit employees voting in a valid election under this § shall be certified by the Board as the exclusive bargaining representative for the bargaining unit employees.

**E.** A petition for decertification or certification of an exclusive bargaining representative shall not be considered by the Board for a period of one (1) year from the date of the certification or noncertification of an exclusive bargaining representative or during the duration of a collective bargaining agreement unless the petition for decertification is filed not more than ninety (90) days prior to the expiration of the collective bargaining agreement.

### § 51-213. Exclusive bargaining representative–Commencement of collective bargaining

**A.** The employee organization certified as the bargaining representative or recognized by the municipal employer on December 31, 2004, shall be the exclusive representative of all municipal employees in the bargaining unit and shall represent all municipal employees fairly, except that any individual employee or a group of employees shall have the right at any time to present grievances to their municipal employer and to have such grievances adjusted, without the intervention of the bargaining representative, as long as the adjustment is not inconsistent with the terms of a collective bargaining contract or agreement then in effect and the exclusive bargaining representative has been given the opportunity to be present during the grievance process and at such adjustment.

**B.** The employee organization which is an exclusive bargaining representative and the municipal employer may designate any individual or individuals as its representatives to engage in collective bargaining negotiations. Upon demand of either party, collective bargaining between the employer and an exclusive bargaining representative must begin within sixty (60) days of the date of certification of the representative by the Public Employees Relations Board, or in the case of an existing exclusive bargaining representative, within sixty (60) days of the receipt by a party of a demand issued by the other party or in accordance with procedures established in any applicable collective bargaining agreement.

**C.** Negotiating sessions, including strategy meetings of municipal employers or exclusive bargaining representatives, mediation and the deliberative process of arbitrators shall be exempt from the Oklahoma Open Meeting Act.

### § 51-214. Impasse procedures

**A.** A request for negotiations shall be filed in writing by an exclusive representative of employees of a municipal employer other than the state in a timely fashion reasonably in advance of that employer's budget-making process.

**B.** A municipal employer and the exclusive representative may enter into a written agreement setting forth an impasse resolution procedure. The procedure shall culminate with binding arbitration.

**C.** If the municipal employer and the exclusive representative have not agreed to an impasse resolution procedure, negotiation impasses shall be subject to:

**1.** At the initiative of either party, the Federal Mediation and Conciliation Service may be requested to appoint an impartial mediator; or

**2.** At the request of either party, all impasses not resolved through mediation shall jointly be submitted to final and binding arbitration. The parties shall jointly select an arbitrator or, if they are unable to agree on an arbitrator, they shall request a list of seven arbitrators from the Public Employees Relations Board. Each party in turn shall strike a name from the list until only one name remains. Negotiations may continue throughout the impasse procedures.

**D.** In making any decision under the impasse procedures authorized by this §, the arbitrator shall give weight to the following factors:

**1.** The lawful authority of the municipal employer;

**2.** Stipulations of the parties;

**3.** The interests and welfare of the public;

**4.** The financial ability of the employer to meet the costs of any items to be included in the contract;

**5.** Comparison of wages, hours and terms and conditions of employment of the employees involved in the arbitration proceedings with the wages, hours and terms and conditions of employment of other persons performing similar services in the public and private sectors;

**6.** The average consumer prices for goods and services, commonly known as the cost of living;

**7.** The overall compensation presently received by the employees involved in the arbitration including, but not limited to, wages, health and life insurance, vacations, holidays and similar benefits;

**8.** Changes in any of the foregoing circumstances during the pendency of the arbitration proceedings; and

**9.** Other factors which are normally or traditionally taken into consideration in the determination of wages, hours and terms and conditions of employment through voluntary collective bargaining, mediation, fact finding, arbitration or otherwise between the parties, in the public service or in private employment.

**E.** The expenses of the arbitrator shall be borne equally by the parties.

### § 51-215. Final agreement or arbitration decision–Request for funds to governing body

**A.** After a negotiated agreement has been agreed to by both parties, or a final and binding arbitration decision has been rendered in accordance with § 15 of this act, the municipal employer shall submit a request for funds necessary to implement the agreement and for approval of any other matter requiring the approval of the appropriate governing body within fourteen (14) days after the date on which the parties finalize the agreement, or the date on which the arbitration decision is issued, unless otherwise specified in this §. If the appropriate governing body is not in session at the time, then the submission shall be within fourteen (14) days after it next convenes.

**B.** If the governing body rejects the submission of the municipal employer, either party may reopen negotiations.

**C.** The parties shall specify that those provisions of the agreement not requiring action by a governing body shall be effective and operative in accordance with the terms of the agreement.

### § 51-216. Judicial review of arbitration award

The district court for the district in which a dispute arose or in which a majority of the affected employees reside may review an award of the arbitrator or an award of an arbitrator in a grievance arbitration, when the arbitrator was without or exceeded his or her jurisdiction; the order is not supported by competent, material and substantial evidence on the whole record; or the order was procured by fraud, collusion or other similar and unlawful means. The pendency of a proceeding for review shall not automatically stay the order of the arbitrator.

### § 51-217. Strikes-Unlawful acts–Injunctive relief

**A.** It shall be unlawful for municipal employees to strike. If a strike occurs, the municipal employer may initiate in the district court in the district where the strike occurs, an action for injunctive relief.

**B.** It shall be unlawful for any municipal employer to authorize, consent to, or condone any strikes; or to pay or agree to pay a municipal employee for any day in which the employee participates in a strike; or to pay or agree to pay any increase in compensation or benefits to any municipal employee in response to or as a result of any strike or any act which violates this act. It shall be unlawful for any official, director, or representative of any municipal employer to authorize, ratify, or participate in any violation of this §. Nothing in this § shall prevent new or renewed bargaining and agreement within the scope of negotiations as defined by this act, at any time after a violation of this § has ceased.

### § 51-218. Actions and proceeding s by or against executive bargaining representatives

Any employee organization and municipal employer may sue or be sued as an entity under the provisions of this act. Service upon the municipal employer or upon the exclusive bargaining representative shall be made pursuant to the Oklahoma Pleading Code. For purposes of actions and proceedings by or against exclusive bargaining representatives under this act, a district court shall have jurisdiction of an exclusive bargaining representative in the district in which the organization maintains its principal office, or in any district in which its duly authorized officers or agents are engaged in representing or acting for employee members. Nothing in this act shall be construed to make any individual or his or her assets liable for any judgment against a municipal employer or an exclusive bargaining representative.

### § 51-219. Form of notice and manner of service

Any notice required under the provisions of this act shall be in writing, and served in a manner specified by the Public Employees Relations Board.

### § 51-220. Conflicting laws and other provisions

Any conflict between the provisions of this act and any other law, executive order or administrative rule, the provisions of this act shall prevail and control.