

Effective 5/10/2016

34-20-3 Labor relations board.

- (1)
 - (a) There is created the Labor Relations Board consisting of the following:
 - (i) the commissioner of the Labor Commission;
 - (ii) two members appointed by the governor with the consent of the Senate consisting of:
 - (A) a representative of employers, in the appointment of whom the governor shall consider nominations from employer organizations; and
 - (B) a representative of employees, in the appointment of whom the governor shall consider nominations from employee organizations.
 - (b)
 - (i) Except as provided in Subsection (1)(b)(ii), as terms of members appointed under Subsection (1)(a)(ii) expire, the governor shall appoint each new member or reappointed member to a four-year term.
 - (ii) Notwithstanding the requirements of Subsection (1)(b)(i), the governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of members appointed under Subsection (1)(a)(ii) are staggered so one member is appointed every two years.
 - (c) The commissioner shall serve as chair of the board.
 - (d) A vacancy occurring on the board for any cause of the members appointed under Subsection (1)(a)(ii) shall be filled by the governor with the consent of the Senate pursuant to this section for the unexpired term of the vacating member.
 - (e) The governor may at any time remove a member appointed under Subsection (1)(a)(ii) but only for inefficiency, neglect of duty, malfeasance or malfeasance in office, or for cause upon a hearing.
 - (f) A member of the board appointed under Subsection (1)(a)(ii) may not hold any other office in the government of the United States, this state or any other state, or of any county government or municipal corporation within a state.
 - (g) A member appointed under Subsection (1)(a)(ii) may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:
 - (i) Section 63A-3-106;
 - (ii) Section 63A-3-107; and
 - (iii) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.
- (2) A meeting of the board may be called:
 - (a) by the chair; or
 - (b) jointly by the members appointed under Subsection (1)(a)(ii).
- (3) The chair may provide staff and administrative support as necessary from the Labor Commission.
- (4) A vacancy in the board does not impair the right of the remaining members to exercise all the powers of the board, and two members of the board shall at all times constitute a quorum.
- (5) The board shall have an official seal which shall be judicially noticed.

Amended by Chapter 348, 2016 General Session