



PUBLIC SAFETY EMPLOYER - EMPLOYEE COOPERATION ACT “COLLECTIVE BARGAINING”

BACKGROUND

Congress has long recognized the benefits of a cooperative working relationship between labor and management. Over the years, Congress has extended collective bargaining rights to public employees including letter carriers, postal clerks, public transit employees, and congressional employees. However, under federal and state laws, some public safety employees, including law enforcement, corrections, and fire, are denied the basic rights of collective bargaining.

While many public safety agencies have benefited from a productive partnership between employers and employees, other agencies have not. Currently, many states do not allow public safety employees the fundamental right to bargain with their employers. History shows that denying workers the right to bargain collectively causes poor morale, the waste of resources, unfair and inadequate working conditions, and low productivity.

If enacted into law, the “Public Safety Employer-Employee Cooperation Act” would do the following:

- Give the right to public safety officers to form and join a union or association of their own choosing, but only if they wish to.
- Give the right to public safety officers to bargain over wages, hours, and working conditions.
- Provide for fact finding and mediation to resolve disputes, but would not require binding arbitration.
- Prohibit strikes and lockouts by public safety officers and agencies.
- Protect current state laws, certifications, and collective bargaining agreements.
- Preserve legitimate management rights.

RECENT LEGISLATIVE ACTION

110th Congress (2007-2009)

- H.R. 980, the “Public Safety Employer-Employee Cooperation Act.” Introduced by Dale Kildee (D-MI) and John Duncan (R-TN) on February 12, 2007. **On 7/17/2007, H.R. 980 overwhelmingly passed the House by a vote of 314-97.**
- S. 2123, Senate companion bill to H.R. 980. Introduced by Judd Gregg (R-NH) and Edward Kennedy (D-MA) on October 1, 2007. S. 2123 was referred to the Senate Health, Education, Labor and Pensions Committee. 12/7/2007 offered as an amendment to H.R. 2419, the Farm, Nutrition and Bioenergy Act of 2007. 12/13/2007 amendment withdrawn due to filibuster threat. As of 1/3/2007, the bill has the support of 27 cosponsors.

109th Congress (2005-2007)

- S. 513, the “Public Safety Employer-Employee Cooperation Act.” Introduced by Judd Gregg (R-NH). On 3/3/2005, S. 513 was referred to the Senate Committee on Health, Education, Labor, and Pensions. No further action was taken on the bill. It had the support of 21 co-sponsors.
- H.R. 1249, House companion bill to S. 513. Introduced by Dale Kildee (D-MI). On 3/10/2005, H.R. 1249 was referred to the House Committee on Education and the Workforce. No further action was taken on the bill. It had the support of 121 co-sponsors.

108th Congress (2003-2005)

- H.R. 814, the “Public Safety Employer-Employee Cooperation Act.” Introduced by Dale Kildee (D-MI). On 2/13/2003, H.R. 814 was referred to the House Subcommittee on Employer-Employee Relations. No further action was taken on the bill. It had the support of 180 co-sponsors.
- S. 606, Senate companion bill to H.R. 814. Introduced by Judd Gregg (R-NH). On 3/12/2003, S. 606 was referred to the Senate Committee on Health, Education, Labor, and Pensions. No further action was taken on the bill. It had the support of 28 co-sponsors.

For information on the legislative history of this issue prior to the 108th Congress please contact the NAPO office at (800) 322-NAPO (6276).

NAPO POSITION

Federal law has extended collective bargaining to a number of different sectors, but not to public safety officers. There are many law enforcement officers who put their lives on the line every day to preserve the security and peace that our nation enjoys. However, these same officers are denied the basic American rights of collective bargaining for wages, hours, and safe working conditions.

This legislation extends basic collective bargaining rights to state and local public safety officers. The bill prohibits strikes and does *not* call for mandatory arbitration. In addition, states that offer equal or greater collective bargaining rights would be exempt from this federal statute.

NAPO has actively supported the efforts of Representative Kildee and Senators Gregg and Kennedy. NAPO will continue working in a coalition with the International Association of Firefighters (IAFF) and other public safety organizations to actively support the passage of this important legislation in the 110th Congress.