

ALEC EXPOSED

"ALEC" has long been a secretive collaboration between Big Business and "conservative" politicians. Behind closed doors, they ghostwrite "model" bills to be introduced in state capitols across the country. This agenda-underwritten by global corporations—includes major tax loopholes for big industries and the super rich, proposals to offshore U.S. jobs and gut minimum wage, and efforts to weaken public health, safety, and environmental protections. Although many of these bills have become law, until now, their origin has been largely unknown. With **ALEC EXPOSED**, the Center for Media and Democracy hopes more Americans will study the bills to understand the depth and breadth of how big corporations are changing the legal rules and undermining democracy across the nation.

ALEC's Corporate Board --in recent past or present

- AT&T Services, Inc.
- centerpoint360
- UPS
- Bayer Corporation
- GlaxoSmithKline
- Energy Future Holdings
- Johnson & Johnson
- Coca-Cola Company
- PhRMA
- Kraft Foods, Inc.
- Coca-Cola Co.
- Pfizer Inc.
- Reed Elsevier, Inc.
- DIAGEO
- Peabody Energy
- Intuit, Inc.
- Koch Industries, Inc.
- ExxonMobil
- Verizon
- Reynolds American Inc.
- Wal-Mart Stores, Inc.
- Salt River Project
- Altria Client Services, Inc.
- American Bail Coalition
- State Farm Insurance

For more on these corporations, search at www.SourceWatch.org.

DID YOU KNOW? Corporations VOTED to adopt this. Through ALEC, global companies work as "equals" in "unison" with politicians to write laws to govern your life. Big Business has "a VOICE and a VOTE," according to newly exposed documents. **DO YOU?**

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Public Employee Bargaining Transparency Act

Did you know that global corporation Kraft Foods was the corporate co-chair in 2011?

Summary

This model bill opens public-sector collective bargaining sessions and documents to the public.

Model Legislation

A bill to amend the Code of [STATE] by adding a section related to transparency in public-sector collective bargaining.

Section 1. {Short Title} This Act shall be known as the Public Employee Bargaining Transparency Act.

Section 2. {Legislative Declarations} The legislature finds and declares that:

- A. Labor negotiations between government and government employees are an extension of the people's business;
- B. Since those negotiations deal with the public employer and public employees, taxpayers have a vested interest in the proceedings;
- C. Taxpayers deserve to observe, monitor, and even participate in the processes by which public contracts are negotiated and awarded;
- D. All levels of government should conduct deliberations openly and take actions openly.

E. Increased transparency in labor negotiation meetings and documents serves to provide all parties to the negotiations with an incentive to avoid any hint of corruption;

F. Open sessions and increased oversight help ensure that government is using taxpayer money effectively.

G. The people insist on remaining informed so that they may retain control over the instruments they have created.

Be it enacted by the Legislature of the State of [STATE]:
That the Code of [STATE] is amended by adding a section as follows:

Section 3. {Definitions} For the purposes of this Act:

- A. "Person" means one or more individuals, labor organizations, or agencies.
- B. "Public employer" means any state or local government, government agency, government instrumentality, special district, joint powers authority, school board or special purpose organization that employs one or more persons in any capacity.
- C. "Employee" means any individual employed by a public employer.
- D. "Labor organization" means any association or organization of employees, and any agency, employee representation committee, or plan in which employees participate that exists, in whole or in part, to advocate on behalf of employees about grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.
- E. "Collective bargaining" means the performance of the mutual obligation of the representatives of the public employer and the labor organization designated as an exclusive bargaining representative to meet and bargain in good faith in an effort to reach written agreement with respect to wages, hours, and terms and conditions of employment.

Section 4. {Open Meetings}

A. Collective bargaining sessions between a public employer or its agent and a labor organization or its agent pursuant to [INSERT COLLECTIVE BARGAINING STATUTES] are public meetings subject to the provisions of [INSERT STATE OPEN MEETINGS ACT], as now or hereafter amended. This section shall not apply to grievance, mediation, or arbitration proceedings with labor organizations, or that portion of a meeting during which a public employer is planning or adopting the strategy or position to be taken during the course of any collective bargaining, grievance, mediation, or arbitration proceedings.

B. The public shall be given notice of any collective bargaining session at least twenty-four hours before the time of such meeting as specified in the notice, through the manner prescribed by the [STATE OPEN MEETINGS ACT].

C. The representatives or agents of the employer shall be subject to liability for violations of this chapter under the [STATE OPEN MEETINGS ACT].

Section 5. {Open Documents} Any documents which are created or presented by the public employer during collective bargaining sessions, or which are received from the labor organization by the public employer in the course of collective bargaining, are public records subject to [INSERT STATE PUBLIC RECORDS LAW] [Option 1: and are available immediately; or Option 2: when the public employer or its agent and the labor organization or its agent agree to the terms of a written collective bargaining agreement.]

Section 6. {Website} The public employer shall operate a web site or contract for the operation of a web site that allows public access to all tentative and finalized collective bargaining agreements pursuant to [COLLECTIVE BARGAINING STATUTES].

Section 7. {Effective Date}

Section 8. {Severability Clause} The provisions of this Act are severable. If any provision of this measure or its application to any person or circumstance is held invalid, that invalidity shall not affect any other provision or application of this measure which can be given effect without the invalid provision or application. If any provision of this measure is held to be in conflict with federal law that provision shall remain in full force and effect to the maximum extent permitted by federal law. For purposes of this section, "provision" shall mean any section, subdivision, sentence, phrase or word.

Section 9. {Construction} This Act shall be liberally construed to accomplish its purposes.

Adopted by the Commerce, Insurance and Economic Development Task Force at the Spring Task Force Summit, May 16, 2008. Approved by the full ALEC Board of Directors June 2008.

About Us and ALEC EXPOSED. The Center for Media and Democracy reports on corporate spin and government propaganda. We are located in Madison, Wisconsin, and publish www.PRWatch.org, www.SourceWatch.org, and now www.ALECExposed.org. For more information contact: editor@prwatch.org or 608-260-9713.

Center for Media and Democracy's quick summary

This bill is aimed at hampering public sector unions' bargaining position during contract negotiations. It opens contract negotiations and subjects them to public scrutiny, potentially hampering the efficiency and effectiveness of negotiations.

In 2011, Republican governors and others portrayed public employees as overcompensated and greedy and used this as justification for limiting collective bargaining rights. By framing public workers in this way, then opening contract negotiations to an angry public, the unions would have a difficult time bargaining for improved work conditions or compensation.

Wisconsin Governor Scott Walker went further than this Model Act in 2011 Wisconsin Act 10. Sect. 169 / 66.058 (1m) limits the ability of local governments to collectively bargain with its employees, and Sect. 167 / 66.056 requires any increase in base wages for municipal employees to be approved by residents in a referendum.