Resolution Urging Congress to Oppose Federal Standards for Monopoly Bargaining

Summary

This resolution urges Congress to reject legislation to federalize monopoly collective bargaining laws for state and local public safety employees such as police officers and firefighters. Such legislation would usurp the long-standing principle that state and local jurisdictions have authority over these workers.

Currently, state and local governments are empowered to regulate collective bargaining activities for these employees. Fourteen states, in fact, have decided not to adopt monopoly bargaining for public safety workers. Proposed federal legislation would turn this on its head by granting the Federal Labor Relations Authority (FLRA) the power to impose monopoly bargaining for state and local jurisdictions that have decline until now.

Model Resolution

WHEREAS, Proposed federal legislation would result in overturning present state laws relating to police and firefighters; and

WHEREAS, the sole purpose federal legislation is to force the state of ______ into recognizing union officials as the sole bargaining agent of police and firefighters; and

WHEREAS, federal legislation could result in the Federal Labor Relations Authority (FLRA) mandating the forced payment of union dues or fees as a condition of employment for police and firefighters; and

WHEREAS, federal legislation could create a shortage of volunteer firefighters; and

WHEREAS, federal legislation would create a new unfounded federal mandate on the taxpayers of _____; and

WHEREAS, the Supreme Court ruled on June 23, 1999 in Alden V. Maine that Congress does not have the authority to impose federal labor law on state government and therefore provisions of proposed federal legislation calling for enforcement by lawsuits in state courts are almost assuredly unconstitutional;

THERFORE BE IT RESOLVED that the state of _________ urges Congress to oppose federal legislation granting federal authorities the power to impose collective bargaining laws on public safety employees; and

BE IT FURTHER RESOLVED, that the clerk (of the House or Senate) transmit copies of this resolution to the President and Vice President of the United States and to each member of Congress of the United States.

Adopted by the CIED Task Force at the Spring Task Force Summit on May 6, 2000. Approved by the ALEC Board of Directors June 2000.