

**REQUEST FOR BOARD ACTION**  
**HENDERSON COUNTY**  
**BOARD OF COMMISSIONERS**

**MEETING DATE:** August 2, 2010  
**SUBJECT:** Collective Bargaining Resolution  
**ATTACHMENT(S):** Draft Resolution

**SUMMARY OF REQUEST:**

Attached is a resolution opposing federally mandated collective bargaining. The resolution also urges members of the North Carolina delegation in the U.S. House of Representatives and the U.S. Senate to oppose any bill that contains these provisions.

**BOARD ACTION REQUESTED:**

Staff recommends approval of the resolution.

**Suggested Motion:**

*I move the approval of the resolution opposing collective bargaining and authorize the Chairman to execute the resolution on behalf of Henderson County Board of Commissioners.*

## RESOLUTION

### OPPOSING FEDERALLY MANDATED COLLECTIVE BARGAINING

WHEREAS, The U.S. House of Representatives recently passed H.R. 413, the so-called Public Safety Employer-Employee Cooperation Act, as part of H.R. 4899, a mammoth appropriations act that includes funding for military operations in Afghanistan and Iraq, additional funding for domestic programs, and other unrelated provisions; and

WHEREAS, despite the misleading bill title, the provisions of H.R. 413 directly and completely override the longstanding North Carolina law that prohibits collective bargaining in the public sector, and mandates collective bargaining by state and local governments with public employee labor unions that represent law enforcement officers, firefighters and emergency medical personnel; and

WHEREAS, state and local elected officials understand that they have an obligation to take appropriate measures to attract and retain highly capable employees to provide essential public services, including providing adequate salaries and benefits, fair employment policies, safe working conditions and adequate training; and

WHEREAS, this proposed legislation is an unnecessary and inappropriate federal intrusion into public employment matters that should be decided by the people's elected representatives at the state and local levels of government, and an unfunded mandate at a time when state and local budgets are extraordinarily challenging; and

WHEREAS, although this very significant proposed federal mandate is so intrusive that it might be unconstitutional, there has been no deliberation about it in any committee of the House or Senate; and

WHEREAS, the inclusion of this proposed legislation and other provisions in a bill intended primarily for war funding jeopardizes continued timely and adequate funding to support operations by our troops in Afghanistan and Iraq;

NOW, THEREFORE, the Henderson County Board of Commissioners hereby expresses its strong opposition to federally mandated collective bargaining and urges members of the North Carolina delegation in the U.S. House of Representatives and the U.S. Senate to oppose any bill that contains these provisions, and do nothing on any procedural vote to increase the likelihood of passage.

This the \_\_\_\_\_ of \_\_\_\_\_, 2010.

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William L. Moyer, Chairman

Attest: \_\_\_\_\_