

PROPOSED FEDERAL BARGAINING ACT. HR 980

PROPOSED FEDERAL BARGAINING ACT. HR 980 the Public Safety Employer-Employee Cooperation Act of 2007 passed the House 314 to 97. The democrats voted 216 to 3 in favor, and the republicans voted 98 to 94 against the bill. In the Oklahoma delegation, those voting for the union were Boren, Cole and Sullivan. Those voting for municipalities were Fallin and Lucas. A companion bill was expected to be introduced in the Senate. However, it has yet to be introduced.

The bill mandates that states, counties, cities and towns enter into collective bargaining agreements with their first responders. The proposal at Section 4 empowers the Federal Labor Relations Authority to determine whether a State substantially provides for the rights and responsibilities described in the bill. If it does, Section 8 states that the federal act will not preempt or limit the remedies, rights, and procedures of that State or political subdivision.

The rights and responsibilities include: (1) The right to form a labor organization; (2) Requirement to bargain and commit any agreements to writing; (3) Bargaining over hours, wages and terms and conditions of employment; (4) Interest impasse resolution mechanism, such as fact-finding, mediation, arbitration, or comparable procedures; (5) Required enforcement via state court.

Should the Federal Labor Relations Authority determine that state law does not substantially provide for the rights and responsibilities described in the bill, then Section 5 controls. The Authority would determine the appropriateness of units, supervise and conduct elections, conduct hearings and the like. Enforcement of orders is to the U.S. Court of Appeals with jurisdiction over the parties.

Section 7 protects existing bargaining units and agreements from the Act or any regulations of the Federal Labor Relations Authority. The Act is effective two years after its enactment or the date of the end of the first regular session of the legislature of the State that begins after the date of the enactment of the Act.

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