



STATEMENT FOR THE RECORD BY

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NATIONAL ASSOCIATION OF GOVERNMENT EMPLOYEES (NAGE)**

AND

INTERNATIONAL BROTHERHOOD OF POLICE OFFICERS (IBPO)

REGARDING

**THE PUBLIC SAFETY EMPLOYER-EMPLOYEE COOPERATION ACT
(H.R. 413)**

BEFORE THE

**SUBCOMMITTEE ON HEALTH, EMPLOYMENT, LABOR AND PENSIONS
HOUSE COMMITTEE ON EDUCATION AND LABOR**

MARCH 10, 2010

Mr. Chairman and Members of the Subcommittee:

On behalf of the National Association of Government Employees (NAGE), and the more than 100,000 workers we represent, including more than 20,000 of our members who are police officers, firefighters, EMTs and paramedics, I would like to thank you for the opportunity to submit this statement for the record regarding the Public Safety Employer-Employee Cooperation Act (H.R. 413).

Our union strongly supports H.R. 413. We believe that this is critical legislation for our country that will greatly improve the services that public safety officers provide to the American people. This legislation will give public safety workers the ability to provide meaningful input into workplace issues that impact them. These brave Americans provide critical services to their communities, often at great risk to their own safety and wellbeing. The least they should be afforded is a mechanism to open up a conversation with their employers about workplace issues.

H.R. 413 would provide a critical avenue for discussion by granting public safety officers a minimum level of collective bargaining rights in all states. The right to collectively bargain over key issues of employment would be legitimized by some kind of dispute resolution, a requirement that could be met by fact finding or mediation. This legislation would not force employers into binding arbitration. This legislation also unequivocally prohibits strikes and lockouts, and

does not override state right-to-work laws, specifically allowing states to continue enforcing laws that prohibit the collection of union fees as a condition of one's employment.

Police officers, fire fighters, and emergency medical personnel deserve the same right to discuss workplace issues with their employer that most American workers already enjoy. Public safety officers carry out a mission that is related to national security, but they still face many of the same workplace challenges those working in other sectors experience. The administration of overtime is a good example of an issue that is common to public safety officers and workers from other sectors. Collective bargaining, which leads to an enforceable agreement, can be a very valuable tool to standardize routine matters like the administration of overtime, and it can help to gain support from officers who were given a voice in the process. Yet, under current law, many states, counties, and municipalities cannot come to an agreement with the workforce on these kinds of issues even if they wanted to. As a matter of fairness, public safety officers should not be denied the essential right to bargain on conditions of employment simply because of their role in providing public safety.

Although some of the workplace issues that concern public safety officers are common to most workplaces, many other issues are far from routine. Public safety officers put their lives on the line every time they put on their uniform. In

many ways cooperation and effective communication is more important in public safety professions than it is anywhere else. Information about the equipment and procedures that are needed to keep public safety officers and the general public out of harm's way are common topics in public safety collective bargaining agreements.

The unique mission of public safety work makes it even more critical that employees be able to cooperate and communicate effectively with their employers. Law enforcement is far more effective when critical information from the rank-and-file is being communicated effectively to management. The information gathered from officers in the field and filtered up is vital to decision making. In many ways, denying collective bargaining denies management an effective way to communicate with rank-and-file public safety workers and to include them in decision making. Studies have shown time and time and again that cooperation between public safety officers and their employers leads to improved public safety as a whole and better safety for the public safety officers themselves.

There is no reason to fear the impact of public safety collective bargaining in every state. A majority of states already meet or exceed the minimum standards for collective bargaining for which H.R. 413 calls, and there is a rich history of employer-employee cooperation in these states. Public safety employees in the states that are impacted face the same issues as public safety

workers in states that already have collective bargaining, yet the workers in these states have no voice in the process. It is a great source of frustration for officers who know that workers in other parts of the country have a meaningful voice in their workplace, and they do not.

Although this legislation requires states to establish minimum standards for collective bargaining, it is carefully written to be very unimposing on states. States that already have bargaining in place would be unaffected by the legislation. No existing collective bargaining agreements would be overridden by the changes proposed in the bill. For the states that are impacted, they would be given great flexibility to establish the collective bargaining standards that meet their needs. The important thing is that all states establish some minimum level of collective bargaining, and this legislation accomplishes that.

The time has come to finally pass the Public Safety Employer-Employee Cooperation Act. This legislation has been around for many years, and every aspect of the bill has been debated. In the last session of Congress, this bill came very close to being enacted into law. The bill enjoyed strong bipartisan support in both the House and the Senate. After passing by an overwhelming majority in the House (314-97), the bill stalled in the Senate due mainly to procedural mishaps. It is time to put this issue to bed once and for all. Public safety officers in all parts of the country deserve the right to have a voice in the workplace. Let's not deny them that right any longer.

I will conclude with an example of how collective bargaining can have a tremendous impact on the delivery of public safety. Due to the economic downturn, the state of Connecticut had a budget that was \$3 billion in the red. Faced with the prospect of broad layoffs in public safety and other services, the state came to the unions for help. The unions, including International Brotherhood of Police Officers (IBPO/NAGE) Local 731, made numerous concessions to help get the state's finances in order. About 3000 state employees took early retirements. Workers that remained on the job accepted furloughs, cuts to retirement pensions, and health care premium and fee increases. In total, the state was able to get \$2.7 billion in budget cuts from the employees. This was a very tough pill to swallow, but we knew that the state of Connecticut was in trouble. An estimated 2500-3000 workers were going to be laid off, which would have created a whole new set of problems for the state. However, because of the concessions the employees made, not a single Connecticut state employee was let go.

Without these concessions, many of the newest state workers would have been laid off. In areas of public safety, these employees would have walked away with the many thousands of dollars worth of training the state just poured into preparing them for service, an estimated \$35,000 per employee for the workers we represent. Courthouses would have been dangerously understaffed, there would have been backlogs in the movement of prisoners, and numerous

other problems would have been created by the reduced staffing. In the end, public safety would have been compromised by the cuts.

Because the state had the unions to work with, layoffs were avoided. Employees were not happy, but they were given a voice in the process, and in the end they made choices that were the best for the safety of the communities in Connecticut and for the public safety workers themselves. Without the unions, it would have been impossible to take a scalpel to the state budget. The cuts would have been made with a hatchet, and the impact of the cuts would have been far worse. Without collective bargaining, this success story would not have been possible. In many states, this kind of cooperation is still impossible.

The passage of the Public Safety Employer-Employee Cooperation Act is long overdue. We urge the Subcommittee to consider and report favorably on this legislation.

Once again, we greatly appreciate the Subcommittee's decision to hold a hearing on this matter. I thank the Subcommittee for the opportunity to provide this statement for the record.