

MOTION:

December 14, 2021

SECOND:

Regular Meeting

Res. No. 21-

RE:

CONSIDER WHETHER OR NOT TO ESTABLISH COLLECTIVE BARGAINING BETWEEN THE COUNTY AND CERTAIN COUNTY EMPLOYEES AND PROVIDE GUIDANCE TO THE COUNTY EXECUTIVE

ACTION:

WHEREAS, in April of 2020, the Virginia General Assembly passed legislation permitting local governing bodies to enter into collective bargaining agreements with respect to any matter relating to employment, provided that the local government adopts an ordinance authorizing as much; and

WHEREAS, pursuant to Section 40.1-57.2 (C), VA Code Ann., any governing body that has not adopted an ordinance providing for collective bargaining may receive any employee certification from a majority of employees who self-identify as a bargaining unit, and within 120 days of receipt of such employee certification, shall take a vote to adopt or not adopt an ordinance or resolution to provide for collective bargaining; the Virginia Code does not require any governing body to adopt an ordinance or resolution authorizing collective bargaining; and

WHEREAS, the Prince William Board of County Supervisors (Board) issued Directive 21-02 on January 19, 2021, directing staff to begin the review of collective bargaining and what impacts its implementation may have on Prince William County; and

WHEREAS, the Board held a public work session on May 11, 2021, to review the state legislation and the potential impact on county government; and

WHEREAS, the Board issued two (2) additional Directives during the May 11 work session. Directive 21-36 instructed the County Executive to advise the Board on the creation of an employee stakeholder working group regarding Collective Bargaining, and Directive 21-37 directed staff to research studies that have been done by other jurisdictions who have collective bargaining to determine residents' satisfaction with quality of life and how collective bargaining has impacted satisfaction; and

WHEREAS, the County Executive advised the Board in July 2021 that an employee stakeholder group had been created and was meeting regularly, and that in response to Directive 21-37, no responsive studies had been found; and

WHEREAS, on September 7, 2021, the Clerk to the Board received an Employee Certification submission from sworn employees in the Department of Fire and Rescue and an Employee Certification submission from sworn employees in the Police Department; and

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WHEREAS, during Supervisors Time of the September 7, 2021, Board meeting, the Board discussed a proposed directive for staff to begin working on a collective bargaining ordinance. After the Board discussion, the proposed directive was withdrawn, and no Board action was taken on this issue; and

WHEREAS, on October 5, 2021, the County Executive deemed sufficient both Employee Certifications; and

WHEREAS, on October 5, 2021, the County Executive advised the Board that two (2) employee group certifications had been received and deemed sufficient, and provided the Board a timeline and flowchart of the collective bargaining process plan; and

WHEREAS, the Board thereafter has 120 days from the date of submission, or until January 5, 2022, to take a vote to adopt or not adopt an ordinance or resolution to provide for collective bargaining; the Board is not required to adopt a collective bargaining ordinance or resolution; and

WHEREAS, since the inception of the collective bargaining employee stakeholder group, the group has worked to engage and educate employees about collective bargaining, to include creating a website, producing handouts and a video, holding a town hall to educate and solicit input from employees, standing up a collective bargaining email box to receive inquiries regarding collective bargaining from employees, and conducting an employee survey to identify where actions are needed to address fundamental workplace concerns, particularly those that are strong predictors of collective bargaining issues, so that the Board has the necessary information when making its decision as to whether a collective bargaining ordinance is needed for Prince William County;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby adopts this resolution to provide for collective bargaining by the applicable Police Department and Department of Fire and Rescue employees, and any other public employees deemed appropriate by the Prince William Board of County Supervisors, by directing County staff to draft a collective bargaining ordinance for the Prince William Board of County Supervisors future consideration based on the parameters the Prince William Board of County Supervisors will set at upcoming Prince William Board of County Supervisors Work Sessions and Prince William Board of County Supervisors meetings.

OR:

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby does not provide for collective bargaining by the applicable Police Department and Department of Fire and Rescue employees and directs staff to no longer work on the matter.

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Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

For Information:

County Executive

County Attorney

Human Resources Director

ATTEST: _____
Clerk to the Board