

Resolution in Support of Alexandria City Labor Organizations for a Fair and Equitable Collective Bargaining Ordinance

WHEREAS City Council has a strong incentive to find ways to ensure the smoothest route to attracting and retaining a quality workforce on mutually agreeable terms and conditions which better stabilize labor relations, and

WHEREAS the Virginia General Assembly last year adopted [Virginia Code § 40.1-57.2](#) with an effective date of May 1, 2021 which gives localities the option to adopt a collective bargaining ordinance for public employees, and

WHEREAS City Council seeks to consider enabling collective bargaining as a means by which its stated goals may be obtained, and

WHEREAS City Employees expect a policy broadly consistent with the policy adopted with near-unanimous support among Democrats in the House of Delegates last year^[1], consistent with the standards in the proposed [Federal Public Service Freedom to Negotiate Act](#), and

WHEREAS City Employees expect a scope of bargaining that includes not only wages and benefits, but also other issues related to employee working conditions, such as but not limited to, safety and scheduling procedures, etc., and

WHEREAS City Employees expect the use of an impartial, professional arbitrator to settle disputes and an impasse procedure that resolves impasses in negotiations by an independent neutral party and is subject to approval by City Council on any matter requiring the expenditure of funds, and

WHEREAS there are a wide diversity of occupations and functions within City government, there should be a reasonable number of bargaining units to provide for sufficient employee self-expression regarding their choice to be represented, or not, by a labor organization, and

WHEREAS the ordinance should provide for the bargaining of an agreeable grievance procedure between the labor organizations and city management to address and resolve issues such as contractual disputes and employee discipline, and

WHEREAS City [Fire Captains](#) and [Lieutenants](#) are currently classified as Fair Labor Standards Act non-exempt first responders who do not have the ability to hire, fire, or carry out major discipline to subordinates, and

WHEREAS International Association of Fire Fighters Local 2141 member Captains and the City settled in a lawsuit in 2017 in which the parties agreed that Captains and below do not qualify as managerial supervisors under FLSA, and

WHEREAS [Police Sergeants](#) and [Lieutenants](#) are currently classified as hourly front-line supervisors who do not have the ability to hire, fire, or carry out major discipline to subordinates,

WHEREAS currently, jurisdictions that have collective bargaining in the D.C. metro area and nation include the ranks mentioned above in the collective bargaining unit, and^[2]

WHEREAS the inclusion of all fire department personnel below the rank of Battalion Chief and below the rank of Captain within Police Departments in collective bargaining units is accepted common practice in the majority of municipalities in the country. Now, therefore, be it—^[3]

RESOLVED that the Alexandria Democratic Committee hereby

1. Petitions the Mayor and the City Council to ensure that any ordinance passed by the City Council for collective bargaining is similar to the breadth and scope of the bill passed with near-unanimous support of the Democrats in the Virginia General Assembly last year;^[4]
2. Strongly believes that our City's dedicated and hardworking personnel deserve the same freedom to engage in collective bargaining as other public workers enjoy throughout the country; and
3. Specifically urges the council to include wages, hours and other terms and conditions of employment as mandatory subjects of bargaining.

^[1] <https://lis.virginia.gov/cgi-bin/legp604.exe?201+ful+HB582EH1>

^[2] <https://oca.dc.gov/node/448242> <https://oca.dc.gov/node/448252>

<https://www.princegeorgescountymd.gov/DocumentCenter/View/2684/County-Lodge-89-Fraternal-Order-Of-Police-PDF>

<https://www.princegeorgescountymd.gov/DocumentCenter/View/2686/Local-No-1619---Fire-Fighters-Paramedics-And-Emergency-Response-Technicians-PDF>

^[3] <https://oca.dc.gov/node/448242> <https://oca.dc.gov/node/448252>

<https://www.princegeorgescountymd.gov/DocumentCenter/View/2684/County-Lodge-89-Fraternal-Order-Of-Police-PDF>

<https://www.princegeorgescountymd.gov/DocumentCenter/View/2686/Local-No-1619---Fire-Fighters-Paramedics-And-Emergency-Response-Technicians-PDF>

^[4] <https://lis.virginia.gov/cgi-bin/legp604.exe?201+ful+HB582EH1>