

1 HB555
2 89655-1
3 By Representatives Wood, McCutcheon, Bridges, Laird and
4 Treadaway
5 RFD: Government Operations
6 First Read: 26-FEB-08

SYNOPSIS: Under existing Alabama law, law enforcement officers employed by the State of Alabama and their political subdivisions are not specifically authorized to meet and confer for employment purposes.

This bill would authorize full time law enforcement officers with the powers of arrest, employed as state policemen or with any state agency, department, board, commission, institution or municipality of a county, and who are certified as law enforcement officers by the Alabama Peace Officers Standards and Training Commission, the right to meet and confer with employers with an organization which represents a majority of its eligible membership.

A BILL
TO BE ENTITLED
AN ACT

1 To authorize certified law enforcement agency
2 members to voluntarily meet and confer for employment
3 purposes; and to specify that grievance procedures and other
4 administrative and legal rights and remedies would not be
5 diminished by this act.

6 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

7 Section 1. The Legislature makes the following
8 findings and statements:

9 (1) Labor-management relationships and partnerships
10 are based on trust, mutual respect, open communication,
11 bilateral consensual problem solving, and shared
12 accountability. Labor-management cooperation fully utilizes
13 the strengths of both parties to best serve the interests of
14 the public, operating as a team to carry out the public safety
15 mission in a quality work environment.

16 (2) The State of Alabama and its political
17 subdivisions need to encourage conciliation, mediation, and
18 voluntary arbitration to aid and encourage employers and their
19 employees to reach and maintain agreements concerning rates of
20 pay, hours, safety, and working conditions, and to make all
21 reasonable efforts through negotiations to settle their
22 differences by mutual agreement reached through meeting and
23 conferring or by such methods as may be provided for in any
24 applicable agreement for the settlement of disputes as
25 follows:

26 a. Any law enforcement agency shall meet and confer
27 concerning any matters set out in this subdivision if the

1 organization represents fifty percent or more of its eligible
2 members.

3 b. This act shall not prevent the State of Alabama
4 or any of its political subdivisions from enforcing a
5 right-to-work law.

6 c. As used in this act, the term "law enforcement
7 officer" means any full time law enforcement officer with
8 powers of arrest employed by the State of Alabama as a state
9 policeman or employed with any state agency, department,
10 board, commission, institution, or any municipality or county,
11 or appointed as a law enforcement officer with the powers of
12 arrest and certified by the Alabama Peace Officers Standards
13 Training Commission.

14 Section 2. This act prohibits any law enforcement
15 officer or employer of a law enforcement officer, to engage in
16 any other action that is designed to compel an employee or law
17 enforcement officer to agree to the terms of a proposed
18 contract and that would measurably disrupt the delivery of law
19 enforcement services.

20 Section 3. Exclusive recognition shall be granted to
21 an organization which represents a majority of its eligible
22 employees. An organization which certifies that it is the
23 exclusive representative may, upon request, have its dues
24 deducted and collected by the employer from the salaries of
25 those employees who authorize the deduction of the dues.

26 Section 4. Notwithstanding Section 3, this act shall
27 not prohibit any law enforcement officer of this state or of

1 its political subdivisions to appear on his or her behalf with
2 respect to his or her employment relations with the law
3 enforcement agency involved. A law enforcement officer may
4 present a grievance at any time to his or her employer without
5 the intervention of any organization.

6 Section 5. Nothing in this bill shall be construed
7 to invalidate or limit the remedies, rights, and procedures of
8 any law of this state or of its political subdivisions or
9 jurisdiction that provides any rights for law enforcement
10 officers that are equal to or greater than the rights provided
11 under this act.

12 Section 6. This act shall become effective on the
13 first day of the third month following its passage and
14 approval by the Governor, or its otherwise becoming law.