

Collective Bargaining Transparency Policy Resolution

- WHEREAS, A transparent government is the top priority for Clark County; AND
- WHEREAS, The Open Public Meetings Act was passed by citizen initiative in 1972, AND
- WHEREAS, The legislative declaration of the Open Public Meetings Act (RCW 42.30.010) states in part: *The people of this state do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.* ;AND
- WHEREAS, Collective Bargaining Agreements are among the most expensive contracts negotiated by Clark County; AND
- WHEREAS, Both taxpayers and employees deserve to know how they are being represented during collective bargaining negotiations; AND
- WHEREAS, The impression of secret deal-making will be eliminated by making collective bargaining negotiations open to the public, AND
- WHEREAS, Opening collective bargaining negotiations to the public does not mean that the public will participate in the negotiations; AND
- WHEREAS, Collective bargaining is defined in statute (RCW 41.56.030) as: *the performance of the mutual obligations of the public employer and the exclusive bargaining representative to meet at reasonable times, to confer and negotiate in good faith, and to execute a written agreement with respect to grievance procedures and collective negotiations on personnel matters, including wages, hours and working conditions, which may be peculiar to an appropriate bargaining unit of such public employer, except that by such obligation neither party shall be compelled to agree to a proposal or be required to make a concession unless otherwise provided in this chapter.*; AND
- WHEREAS, Making collective bargaining contract negotiations transparent does not conflict with and is not preempted by state law; AND
- WHEREAS, The Open Public Meetings Act (RCW 42.30.140) permits collective bargaining contract negotiations to be exempted from the open public meetings requirements, but this exemption does not *compel* such negotiations to be secret; AND

WHEREAS, The OPMA does not prohibit governments from making these negotiations open to the public, THEREFORE BE IT

RESOLVED, It shall be the policy of Clark County from this day forward to ensure that all collective bargaining contract negotiations be conducted in a manner that is open to the public; AND

That Clark County shall provide public notice of all collective bargaining negotiations in accordance with the Open Public Meetings Act (RCW 42.30.060 - 42.30.080); AND

That Public observance of collective bargaining contract negotiations will not preclude bargaining representatives from meeting separately and privately to discuss negotiating tactics, goals, and methods, AND

That this resolution does not include meetings related to any activity conducted pursuant to the enforcement of a collective bargaining agreement (CBA) after the CBA is negotiated and executed, including but not limited to grievance proceedings; AND

That a copy of this resolution shall be provided to the Clark County manager, to all potentially affected employees, to all union representatives, and all others deemed appropriate by the Clark County officials.