

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY OF PORTSMOUTH TO ENGAGE IN COLLECTIVE BARGAINING WITH EMPLOYEES.

WHEREAS, the 2020 Virginia General Assembly amended §40.1-57.2 of the Code of Virginia to repeal the prohibition against collective bargaining for local municipal employees beginning May 1, 2021; and

WHEREAS, this legislative action grants local governing bodies, as well as local school boards, the authority to recognize any labor union or other employee association and permits the development of collective bargaining agreements with any such union or association; and

WHEREAS, joint-decision making is the modern way of administering government and a structure where public employees have been granted the right to share in the decision-making process increases operational capacity and efficiency; and

WHEREAS, the City of Portsmouth seeks to foster harmonious, stable and cooperative relations between City Council, the Administration and its employees; and

WHEREAS, a collective bargaining agreement is that shared commitment and roadmap for how a collaborative decision-making process would operate; and

WHEREAS, collective bargaining is the means to perform the mutual obligations of the public employer and its employees to negotiate in good faith at reasonable times and places with respect to wages, hours, and other terms and conditions of employment with the intention of reaching and executing a written agreement; and

WHEREAS, collective bargaining gives Portsmouth the opportunity to provide the best services possible to the citizens of Portsmouth through shared objectives; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Portsmouth, Virginia, that its employees shall be provided the ability to organize for the purpose of collective bargaining regarding the terms and conditions of their employment; and

BE IT FURTHER RESOLVED that employee strikes are detrimental to building a stronger safer community and employees willfully refusing to perform their duties will be deemed to have terminated their employment by the City of Portsmouth; and

BE IT FURTHER RESOLVED that the City of Portsmouth shall develop procedures that (1) recognize the right of public employees to organize for the purpose of collective bargaining; (2) provide a means by which employees may select units appropriate for effective dealings between their representatives and their employer; (3) require the employer to negotiate with and enter into written agreements with exclusive representatives on matters of wages, hours and other terms and conditions of employment, while at the same time establishing a rational method for dealing with disputes between City's management and labor leaders; and

BE IT FURTHER RESOLVED that the City of Portsmouth must negotiate in good faith with respect to the scope of this resolution and shall not interfere, restrain, or dominate the exercise of rights granted by this resolution; and

BE IT FURTHER RESOLVED that the City Attorney and City Manager shall convene a workgroup, consisting of subject matter experts from legal, human resources and labor to develop collective bargaining procedures for local public sector employees in Portsmouth and City Council shall promulgate changes to the Code of the City of Portsmouth no later than May 2021.

ADOPTED by the Council of the City of Portsmouth, Virginia at an electronic meeting held on September 22, 2020.

Teste:

City Clerk