

*Colorado Legislative Council Staff Fiscal Note*  
  
**STATE**  
**FISCAL IMPACT**

**Drafting Number:** LLS 11-0413  
**Prime Sponsor(s):** Sen. Mitchell

**Date:** January 18, 2011  
**Bill Status:** Senate SVMA  
**Fiscal Analyst:** Kerry White (303-866-3469)

**TITLE:** CONCERNING THE PROHIBITION OF OFFICIAL STATE RECOGNITION OF CERTAIN ACTIVITIES OF EMPLOYEE ORGANIZATIONS FOR THE BENEFIT OF STATE EMPLOYEES.

Fiscal Impact Summary	FY 2011-2012	FY 2012-2013
<b>State Revenue</b>		
<b>State Expenditures</b>	See State Expenditures Section	
<b>FTE Position Change</b>		
<b>Effective Date:</b> August 10, 2011, assuming the General Assembly adjourns May 11, 2011, as scheduled and no referendum petition is filed.		
<b>Appropriation Summary for FY 2011-2012:</b> None required.		
<b>Local Government Impact:</b> None.		

**Summary of Legislation**

In 2007, Governor Ritter signed Executive Order D 0028 07, which authorized partnership agreements with state employees in the executive branch. Employee organizations may currently become the exclusive representative of state employees in any occupational group or category, and enter into a partnership agreement with the state. A partnership agreement is a formal framework between the state and the employee organization under which issues of mutual concern are discussed, or government services are provided. There are currently four employee organizations with partnership agreements - Colorado WINS, the Association of Colorado State Patrol Professionals, the Service Employee International Union, and the American Federal of Teachers. This bill does the following:

- prohibits an employee organization from being officially recognized as the exclusive representative of state employees;
- bars the state from negotiating with an employee organization to create an employee partnership agreement; and
- terminates any existing partnership agreements.

### **State Expenditures**

Under current practice, the Colorado Department of Labor and Employment (CDLE) certifies employee organizations. The Department of Personnel & Administration (DPA) and other state agencies coordinate their ongoing activities with these organizations. While no state agency receives an appropriation for these responsibilities, the DPA attributes an estimated 1,733 staff hours over the prior three fiscal years for work with employee organizations. It should be noted that a portion of this staff time would have been expended to conduct outreach to employees, irrespective of the existence of employee organizations, which provide a vehicle for this outreach. The bill will reduce the amount of time the CDLE expends in certifying employee organizations and developing formal partnership agreements. However, as there are only four organizations in place, this reduction is minimal. Other state agencies may experience small reductions in the amount of staff time spent coordinating the activities of employee organizations. Since these responsibilities are currently absorbed within existing resources, the bill does not require an adjustment in appropriations.

### **Departments Contacted**

Governor's Office  
Labor and Employment  
Public Safety

Higher Education  
Personnel & Administration