

*Colorado Legislative Council Staff Fiscal Note*

**STATE, LOCAL, and  
STATUTORY PUBLIC ENTITY  
FISCAL IMPACT**

**Drafting Number:** LLS 14-0116  
**Prime Sponsor(s):** Rep. Everett

**Date:** January 27, 2014  
**Bill Status:** House SVMA  
**Fiscal Analyst:** Erin Vanderberg (303-866-4146)

**SHORT TITLE:** PROHIBIT COLLECTIVE BARGAINING PUBLIC EMPLOYEES

Fiscal Impact Summary	FY 2014-2015	FY 2015-2016
State Revenue	Minimal fiscal impact	
State Expenditures		
FTE Position Change		
Appropriation Required: None		

### Summary of Legislation

This bill prohibits collective bargaining by public employees. It terminates existing employee partnership agreements and prohibits new ones by preventing the Colorado Department of Labor and Employment (CDLE) from (i) accepting petitions designating an employee representative, (ii) certifying employee representation, or (iii) acting as the agent of an employee organization. This bill also prohibits political subdivisions, such as municipalities, transit districts, and school districts, from engaging in collective bargaining. Finally, this bill terminates all existing state and political subdivision labor contracts.

### Background

In 2007, Governor Ritter signed Executive Order D 028 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.

### State Expenditures

This bill is likely to reduce state expenditures within the CDLE. Under current practice, CDLE certifies employee organizations. The Department of Personnel and Administration (DPA) and other state agencies coordinate their ongoing activities with these organizations. 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. The DPA and 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.

### **Local Government, School District and Statutory Public Entity Impact**

This bill may have a varied impact at the local level. Expenditures may be increased for local governments, school districts, and statutory public entities because existing contracts must be terminated. Since these contracts are legally binding, early termination could give rise to unknown impacts, such as legal costs or damages. Expenditures may also be decreased for local governments, school districts, and statutory public entities. The Regional Transportation District (RTD), for example, would be required to eliminate its contribution to the Amalgamated Transit Union pension plan, and establish a new compensation scale, which could offset payroll costs.

### **Departments Contacted**

Counties  
Judicial  
Local Affairs  
Regulatory Agencies

Education  
Labor and Employment  
Personnel and Administration

Higher Education  
Law  
Public Safety