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THE DENVER POST

guest commentary

Keeping firefighters and communities safer

By Mark Rogers

Posted: 03/27/2009 12:30:00 AM MDT

Our Governments are having trouble balancing their budgets; our families are struggling to keep food on the table. In this tough economy, we all have concerns weighing on our minds. Focusing and doing a job well can be difficult with the realities of unsafe equipment or tools that should be replaced. For most people, having well-maintained equipment versus run-down equipment might mean the difference between a computer that boots up slower or a copier that sometimes jams.

For fire fighters and the communities we protect, it might mean the difference between a home burning to the ground or even life and death. Fire fighting is an inherently dangerous job and while you cannot take the danger out of the job, you can make it safer.

Fire fighters want the ability to work with their employers to obtain the safest equipment

possible. There is a difference between a \$20 helmet and a \$1,000 helmet and most fire fighters are willing to give up wage increases to make sure they are able to come home to their families after every shift.

The Fire Fighter and Law Enforcement Officer Collective Bargaining Act (SB180) under consideration in the Colorado Legislature would help local governmental agencies and public safety personnel come together to address and solve these types of workplace challenges in a cooperative and productive manner, promoting more effective and efficient delivery of emergency services during times of both economic difficulties and prosperity.

The City and County of Denver, which is experiencing the same economic difficulties as other government entities in the state, recently avoided laying off fire fighters by working with the Union. The fire fighters came together to support each other, the City and the safety of the community by reducing pay and benefits rather than seeing colleagues lose their jobs and fire stations operate with fewer personnel to respond to emergencies. Such negotiations involve the exchange of information and ideas and often result in a give and take that leaves both sides better off, as the Denver agreement did.

"It's a win-win deal for everyone," Eric Tade, the governmental affairs director for the union, told The Denver Post. "Services don't get cut for citizens. Firefighters get to keep their jobs, and the administration doesn't have to make layoffs."

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For decades, the City and County of Denver and the City of Aurora have successfully used similar systems for addressing concerns. Although both these cities offer examples of what such collaborations could look like in other cities and towns, SB180 preserves a sense of local control by focusing such conversations and negotiations between the local municipality or fire protection district and the local union.

In SB 180, there are also local mechanisms for solving disputes should the bargaining representatives reach an impasse. The Fire Fighter and Law Enforcement Officer Collective Bargaining Act specifically prohibits strikes. Instead, it creates an advisory fact-finder system that brings the parties together to resolve disagreements over workplace issues. In the event that either of the parties are unwilling to accept the fact-finder's determinations, this bill places the ultimate decision of whether to adopt either of the parties' proposals in the hands of the people: the voters in the municipality or fire protection district.

The Fire Fighter and Law Enforcement Officer Collective Bargaining Act is designed to encourage voluntary agreements to prohibit unnecessarily prolonged negotiations and to fit within the budgeting requirements of local jurisdictions. Yes, you read that right. This isn't about increased wages and benefits but making sure our municipalities are spending their limited resources the best way possible - which may times means forgoing raises in order to get safer equipment.

During a period when resources like financial capital are limited, The Fire Fighter and Law Enforcement Officer Collective Bargaining Act encourages us to value other resources: human capital that generates creative ideas, conversation and collaboration to save our governments' money while protecting the health and safety of both fire fighters and the public.

Mark Rogers is a member of the Littleton Fire Department.

This online-only guest commentary was not edited.

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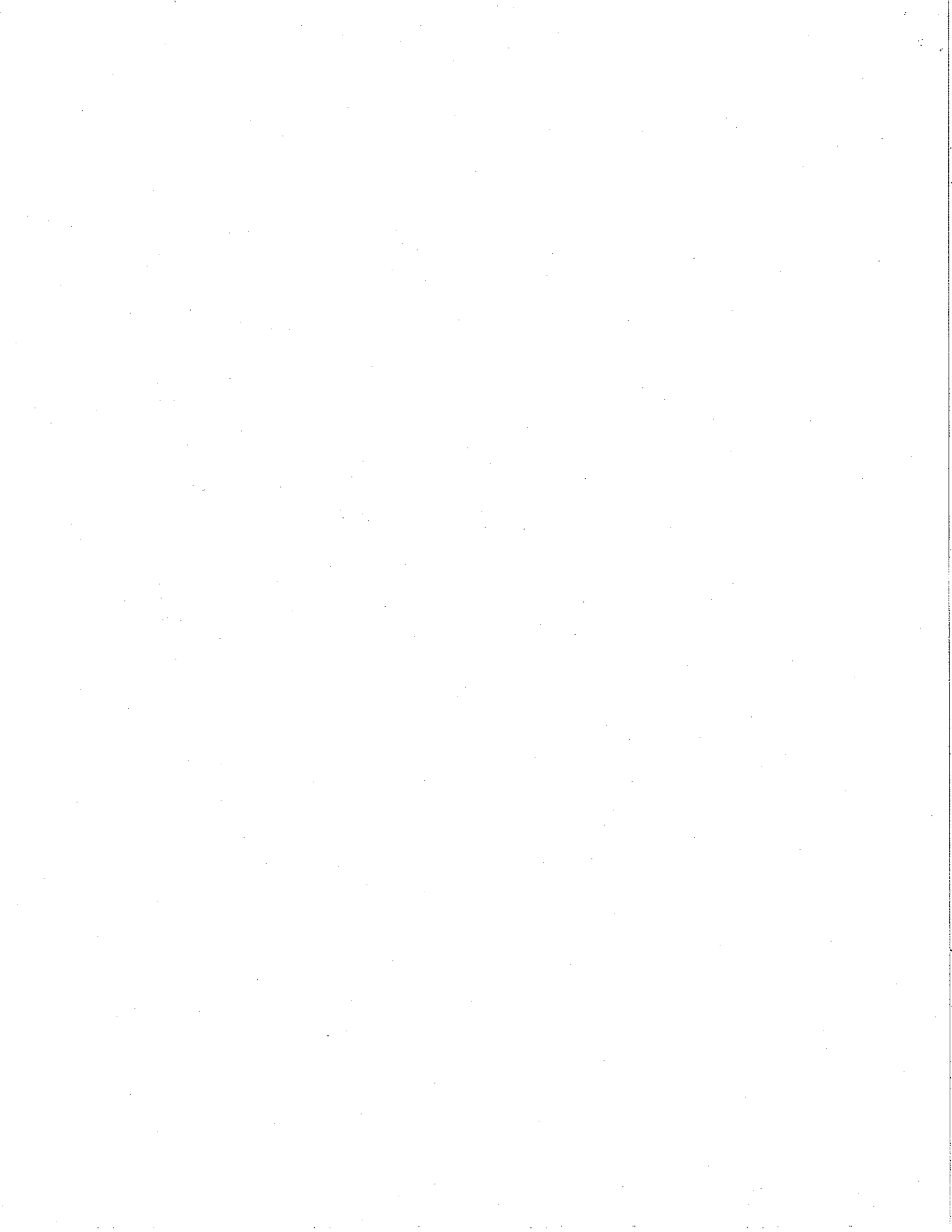
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EDITORIALS AGAINST

SB 09-180



April 16, 2009

Legislature should kill unnecessary labor bill

State Senate Bill 180, no matter how it's amended, could hurt financially strapped municipalities and special fire districts.

State lawmakers may have watered down a bill to allow public safety workers to form unions and collectively bargain for wages, but it's still an onerous proposal that strips local control from cities, counties and special districts.

Senate Bill 180 won preliminary approval from the Senate this week after police and sheriff's deputies were removed from the bill's provisions. Now, only firefighters would be able to organize under the bill.

But the bill, which was up for a third and final reading in the Senate on Wednesday, suddenly stalled. We're guessing Democrats lost a key vote or two from Tuesday's 18-17 second-reading vote. At least we hope so.

SB 180, no matter how it's amended, is unnecessary and could hurt financially strapped municipalities and special fire districts.

The Colorado Municipal League, which opposes the bill, calls it an "intrusion of the state into the employment practices and policies of local governments and the citizens who elect them." We couldn't agree more.

No state law prohibits collective bargaining. But local decisions need to be made at the local level, especially when it comes to personnel matters and wages and benefits.

Voters in Longmont last fall approved collective bargaining for public safety employees. It was their choice. Voters in Fort Collins turned down a similar measure.

Under SB 180, they would lose that voice.

It is interesting to note that the bill's sponsor, Sen. Lois Tochtrop, D-Thornton, never intended to extend collective bargaining to the Colorado State Patrol, which actually falls under the purview of the state. And it's no coincidence that firefighters are the last one standing in this bill. The Colorado Fire Fighters Association spends thousands of dollars in statehouse races, and its members actively campaign for Democratic candidates.

Gov. Bill Ritter, who already gift-wrapped his present to labor unions in 2007 in the form of collective bargaining for tens of thousands of state employees, since has been working to mend fences with the business community. He doesn't want to see this bill land on his desk. In fact, he has "significant concerns" with the bill because it doesn't have support from local governments.

Tochtrop should move to kill her bill and then move on.

The Pueblo Chieftain

Your print and online news source for Southern Colorado

Thursday, April 16, 2009

Home rule

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April 16, 2009 12:14 am

HAND IT to the power of the firefighters union, considered one of the strongest in the nation. It is flexing its muscle at the State Capitol.

A bill that essentially would have forced cities to recognize the fire, police and sheriff unions got bogged down in the Legislature, so its chief sponsor, Sen. Lois Tochtrop, D-Thornton, allowed the bill to be scaled back to include only firefighters.

Sen. Tochtrop was most disingenuous telling fellow senators that the bill would not create an unfunded mandate on cities. Yet forcing cities to recognize a union indeed is an unfunded mandate when the union is able to wrest more taxpayer dollars out of city hall, which it invariably does.

This bill is an affront to local self-determination, and because of that the Colorado Municipal League is fighting the legislation. We hope enough lawmakers hear and heed CML's arguments.

Voters in the city of Pueblo have agreed their firefighters ought to have a union where pay and other contractual disputes can be given to binding arbitration. That's the democratic process.

At the same time, voters in Fort Collins have repeatedly voted against unionizing their firefighters. Again, that's the democratic process.

This is an issue of home rule. Either city governments have the ability to local self-determination, or the Legislature will strip that power away. This first bite of that apple should not be permitted.

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February 27, 2009

State shouldn't defy local voter controls

Collective bargaining bill relies on fear mongering

As if the rancor that arose during the election season over union-related ballot issues weren't enough, along comes Senate Bill 180 to unnecessarily and unproductively stir up the pot again.

SB 180 would allow public safety employees, such as police and firefighters, the right to bargain collectively under the authority of the state Legislature rather than local communities. In other words, if public safety workers want to bargain as a unit, local voters - who pay their salaries - will have no say in the matter.

The bill, called the Firefighter and Law Enforcement Collective Bargaining Act, even goes further by stating that police and fire contracts could override home-rule cities' regulations regarding collective bargaining.

The issue is particularly relevant here in Fort Collins, where voters have voted on union-related issues several times over the past decade. In 2004, voters narrowly approved the right for police employees to bargain collectively. Three other times, Fort Collins voters have rejected binding arbitration to settle labor disputes between the city and unions groups. And last June, voters overwhelmingly rejected a proposal to allow municipal workers to bargain collectively while also requiring an outside arbitrator.

In other words, the system in which local voters decide the status of unionization and collective bargaining for public employees, including public safety workers, works just fine.

Nor would it be fair for the state to mandate police and fire collective bargaining units in defiance of the wishes of local elected officials, who would be left to deal with budget ramifications of collective bargaining.

Particularly offensive in this bill is language that hints that the public safety of Colorado is at risk without collective bargaining rights for police and firefighters. The bill says, "Experience has proven that legal protection of the right of firefighters and law enforcement to organize safeguards the public safety by removing certain recognized sources of strife and unrest." This is unsubstantiated fear-mongering.

Our local lawmakers, Sen. Bob Bacon, and Reps. Randy Fischer and John Kefalas, have seen firsthand how Fort Collins voters have thoughtfully considered union-related issues. They should support local voters and local control by rejecting this state mandate.

The Pueblo Chieftain

Your print and online news source for Southern Colorado

Wednesday, February 18, 2009

Big Labor's tune

[Print Page](#)

By THE PUEBLO CHIEFTAIN

February 18, 2009 02:20 am

THERE'S A relentless drive by organized labor to get its way legislatively where it hasn't been able in the workaday world.

In Colorado, the latest manifestation of this is SB180. If enacted, this bill would mandate that local governments allow their firefighters and law enforcement officers to unionize, whether the taxpaying public of those governments approve or not.

A hearing has been scheduled today on what's titled the "Firefighter and Law Enforcement Officer Collective Bargaining Act." The bill is co-sponsored by Sen. Lois Tochtrop, D-Thornton, and Rep. Casso Edward, D-Denver.

Colorado law now allows city and county residents to decide whether workers employed by local government should be able to organize. Some communities have approved collective bargaining and others haven't.

SB180 would take the decision-making out of the hands of local taxpayers. All compensation for unionized public safety workers would be decided by a system that favors employees over taxpayers. And if unionized workers didn't like their contracts, they could force them unilaterally to be renegotiated.

This bill would be an unfunded mandate on local communities which up to now have declined to have union pacts with firefighters or police or sheriff's officers. Why should legislation carried by metro-area lawmakers be forced down the throats of small communities in Southern Colorado?

Local employment decisions should be made at the local level. They should not be mandated by lawmakers in Denver who dance to the tune of Big Labor.

Right now local governments are seeing their tax revenues decline. This is not the time to force them to reallocate finite finances because lawmakers who live a hundred miles away want to please union bosses who have been unable to get their way.

SB180 is an anti-democratic assault on local government and the taxpayers who foot the bills. It should be given a fitting last rite - say a funeral pyre on the Statehouse steps.

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 **PRINT THIS**

Let elected officials control public safety

By The Daily Sentinel

Thursday, January 29, 2009

A Front Range lawmaker wants to give police and firefighters throughout the state a right to collective bargaining rights — something that voters in Grand Junction soundly rejected for their own police and firefighters almost a decade ago.

While Assistant Senate Majority Leader Lois Tochtrop, D-Thornton, sounds committed to introducing the legislation to allow police and firefighters collective bargaining rights, we hope other lawmakers in Denver will listen to the likes of Mesa County Sheriff Stan Hilkey, who said law enforcement agencies working under such agreements often have a more difficult time getting rid of employees who are unfit for law enforcement.

Or they might heed the concerns raised by Grand Junction city officials and residents back in 2000, when a proposed amendment to the city charter to allow collective bargaining by police and firefighters was overwhelmingly defeated by city voters.

Among the issues raised then by opponents of the measure were both pay and staffing levels. And many of the opponents, including this newspaper, made the quite reasonable argument that the city's elected representatives should decide those issues, not an outside arbiter, as would have been allowed under the proposed city charter. A draft of the legislation Tochtrop is considering includes a similar provision for organized arbitration when the two sides aren't able to reach agreement.

It also includes a provision prohibiting strikes by police or firefighters. But, like the Grand Junction proposal from 2000, it sets forth no punishment for those who violate the provision.

There is little evidence that a collective bargaining right is desperately needed by police or firefighters in Colorado to boost their wages or protect their jobs. But there is a need to allow elected representatives of cities and counties the authority to set wages, staffing levels and other requirements for their departments.

We agree with state Rep. Steve King, R-Grand Junction. The Legislature needs to strike this idea. Vote for this story!

Find this article at:

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Rocky Mountain News

Legislation would override local governments' bargaining rules

February 17, 2009

We weren't aware of it, but relations between local law enforcement and firefighters and their employers are so strained that "various forms of strife and unrest" have resulted, "which obstructs public safety."

At least that's what is asserted in Senate Bill 180, scheduled for a committee vote on Wednesday. The "strife and unrest" may be difficult for outsiders to detect, but the bill offers a cure nonetheless: Have the legislature give local public safety workers the right to unionize against the wishes of their communities.

Colorado law has allowed city and county residents to decide whether workers employed by local government have the right to organize. And while some communities have OK'd collective-bargaining agreements and others haven't, SB 180 would replace that local option with a one-size-fits-all mandate to allow local public safety employees anywhere in the state to join a union.

Should SB 180 become law, it would impose hefty costs on local taxpayers. To begin with, it would reduce local governments' flexibility in meeting budgets at difficult times like this when they may have to consider furloughs or layoffs.

All compensation for unionized public safety workers - including salaries, pensions, bonuses and paid time off - would be decided by collective-bargaining agreements under the bill. The measure even allows local public safety workers now covered by union agreements to force their contracts to be renegotiated.

Even more ominously, such areas as disciplinary policies, staffing and scheduling would be subjected to union negotiations.

Nor would home-rule cities necessarily be safe from the bill's mandates. The Colorado Municipal League, which opposes the bill, cites language from it suggesting that union contracts could override civil service provisions incorporated in any "charter, ordinance, resolution or voluntary recognition" - including the home-rule charter of cities like Denver.

In other words, SB 180 would upend longstanding traditions of local self-government. Residents and their elected officials would be left with much less authority to manage both their own budgets and the workers who provide critical public services.

Under the bill, any local police, sheriff's or fire department could demand an election to unionize if a mere 30 percent of the firefighters or officers signed a petition asking for union representation. If the union then prevailed in a secret-ballot election, it would win the right to negotiate a collective-bargaining agreement.

Cops and firefighters who are already unionized could demand an election to rip up their old contract under the same 30 percent rule. So cities that have implemented innovative civil service reforms (such as the "discipline matrix" introduced by Denver last year) or incentive-based compensation systems could see those management tools swept aside if the unions don't like them.

The municipal league views the bill as an unfunded mandate on local governments, and it is. If by some breach of collective judgment the bill eventually reaches Gov. Bill Ritter's desk, we hope he would never allow it to become law.