## HOUSE JOINT RESOLUTION 25

## Introduced by Whalen, et al.

2/08	Introduced
2/08	Referred to State Administration
2/09	First Reading
2/18	Hearing
2/18	Tabled in Committee
2/20	Committee ReportBill Passed
•	Died in Process

1	HOUSE JOINT RESOLUTION NO. 25
2	INTRODUCED BY Whalen Amount Harmites
3	Souly Ream Michallen
4	A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
5	REPRESENTATIVES OF THE STATE OF MONTANA URGING THE
6	DEPARTMENT OF ADMINISTRATION TO BARGAIN IN GOOD FAITH WITH
7	STATE EMPLOYEE UNIONS AND TO START FUTURE NEGOTIATIONS AT
8	LEAST 1 YEAR BEFORE SUBMISSION OF THE EXECUTIVE BUDGET TO
9	THE LEGISLATURE.
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11	WHEREAS, the 46th Legislature of the State of Montana
12	enacted the Collective Bargaining Act (Title 39, chapter 31,
13	parts 1 through 4, MCA); and
14	WHEREAS, public employees, including municipal, school
15	district, county, and Montana state employees, consequently
16	organized into labor organizations for the purpose of
17	collective bargaining for compensation and working
18	conditions; and
19	WHEREAS, under the auspices of the Collective Bargaining
20	Act, employers of organized public employees have the
21	authority and duty to bargain collectively; and
22	WHEREAS, under the auspices of the Collective Bargaining
23	Act, the duty to bargain extends to the obligation to
24	bargain in good faith; and
25	WHEREAS, under the auspices of the Collective Bargaining

2	bargaining in good faith by submitting a negotiated
3	agreement to the Legislature; and
4	WHEREAS, state employee unions have attempted to
5	negotiate for wages and benefits with the administration
6	prior to budget submission; and
7	WHEREAS, the current administration denied negotiation
8	requests on the grounds that negotiations would hinder the
9	work of the Committee on State Employee Compensation; and
0	WHEREAS, the Committee on State Employee Compensation
1	merely studied the compensation issue and had no legal
2	authority to interfere with collective bargaining, the only
3	legally mandated means of addressing state employee
4	compensation for organized bargaining units; and
5	WHEREAS, the current administration conceded to meet for
6	negotiations, but its representatives possessed no authority
7	to bargain collectively and the executive budget had already
8	been set; and
9	WHEREAS, negotiations, as provided in the Collective
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	Bargaining Act, were precluded by administrative stalling
1	and the submission of a nonnegotiated, unilaterally dictated
2	funding level for state employee compensation; and
3	WHEREAS, this Legislature respects the tenets of the
4	Collective Bargaining Act and the execution of its
:5	principles; and INTRODUCED BILL -2- HJR 25

Act, state government officials meet the requirement of

## LC 1754/01

2	negotiate in good faith with state employee labor
3	organizations, as directed by the Collective Bargaining Act
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5	NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
6	OF REPRESENTATIVES OF THE STATE OF MONTANA:
7	That this Legislature urge the current and future
В	administrations of the State of Montana to collective
9	bargain in good faith with state employee unions.
0	BE IT FURTHER RESOLVED, that this Legislature urge th
1	current and future administrations of the State of Montana
2	in an effort to submit a negotiated agreement to th
3	Legislature for appropriations consideration, to begi
4	negotiations with state employee unions at least 1 year
5	prior to submitting an executive budget to the Legislature.
	-End-

WHEREAS, the current administration has failed to

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## APPROVED BY COMMITTEE ON STATE ADMINISTRATION

JOINT RESOLUTION NO. 25 1 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE

OF REPRESENTATIVES OF THE STATE OF MONTANA 5 URGING DEPARTMENT OF ADMINISTRATION TO BARGAIN IN GOOD FAITH WITH 7 STATE EMPLOYEE UNIONS AND TO START FUTURE NEGOTIATIONS AT 8 LEAST 1 YEAR BEFORE SUBMISSION OF THE EXECUTIVE BUDGET TO 9 THE LEGISLATURE.

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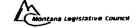
WHEREAS, the 46th Legislature of the State of Montana enacted the Collective Bargaining Act (Title 39, chapter 31, parts 1 through 4, MCA); and

WHEREAS, public employees, including municipal, school district, county, and Montana state employees, consequently organized into labor organizations for the purpose of collective bargaining for compensation and working conditions; and

WHEREAS, under the auspices of the Collective Bargaining Act, employers of organized public employees have the authority and duty to bargain collectively; and

22 WHEREAS, under the auspices of the Collective Bargaining 23 Act, the duty to bargain extends to the obligation to 24 bargain in good faith; and

25 WHEREAS, under the auspices of the Collective Bargaining



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principles; and

1	Act, state government officials meet the requirement of
2	bargaining in good faith by submitting a negotiated
3	agreement to the Legislature; and
4	WHEREAS, state employee unions have attempted to
5	negotiate for wages and benefits with the administration
6	prior to budget submission; and
7	WHEREAS, the current administration denied negotiation
8	requests on the grounds that negotiations would hinder the
9	work of the Committee on State Employee Compensation; and
10	WHEREAS, the Committee on State Employee Compensation
11	merely studied the compensation issue and had no legal
12	authority to interfere with collective bargaining, the only
13	legally mandated means of addressing state employee
14	compensation for organized bargaining units; and
15	WHEREAS, the current administration conceded to meet for
16	negotiations, but its representatives possessed no authority
17	to bargain collectively and the executive budget had already
18	been set; and
19	WHEREAS, negotiations, as provided in the Collective
20	Bargaining Act, were precluded by administrative stalling
21	and the submission of a nonnegotiated, unilaterally dictated
22	funding level for state employee compensation; and
23	WHEREAS, this Legislature respects the tenets of the

Collective Bargaining Act and the execution

LC 1754/01

1 WHEREAS, the current administration has failed to
2 negotiate in good faith with state employee labor
3 organizations, as directed by the Collective Bargaining Act.

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- NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
- OF REPRESENTATIVES OF THE STATE OF MONTANA:
- 7 That this Legislature urge the current and future
- 8 administrations of the State of Montana to collectively
- 9 bargain in good faith with state employee unions.
- 10 BE IT FURTHER RESOLVED, that this Legislature urge the
- 11 current and future administrations of the State of Montana,
- 12 in an effort to submit a negotiated agreement to the
- 13 Legislature for appropriations consideration, to begin
- 14 negotiations with state employee unions at least 1 year
- 15 prior to submitting an executive budget to the Legislature.

-End-