

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 Report--Bill Passed
	Died in Process

1 House JOINT RESOLUTION NO. 25
 2 INTRODUCED BY Whalen, Swain, Hamilton
 3 Southgate, Bean - Morgan
 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.

10
 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

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
 24 Collective Bargaining Act and the execution of its
 25 principles; and



INTRODUCED BILL
 HJR 25

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.
4

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
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-

APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

1 HOUSE JOINT RESOLUTION NO. 25
 2 INTRODUCED BY Whalen Shaw Stangor
 3 Sullivan Ream Alington
 4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
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SECOND READING
HJR 25

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