



Collective Bargaining: What It Means to You

Telephone

+571-991-5386

Address

**3900 Jermantown Rd, Suite 420,
Fairfax, VA 22030**

Website

www.thefairfaxunion.org

About The Fairfax Workers Coalition



Fairfax Workers Coalition (FWC) is a recognized labor union established in 2017.

We are:

- An independent union run by and for county employees
- Member focused, individualized attention and grass roots
- Do not answer to any corporate entity
- Do not give member money to politicians
- Based on truth, trust, transparency, teamwork
- It's about real union work – not just a campaign

Collective Bargaining: What is it?



Collective Bargaining Ordinance passed by the County in 2021

- Ensures a fair process for FC employees to negotiate wages, benefits, hours, and working conditions
- Recognizes employee rights to organize and bargain as a unit through representatives of their choice

FWC's comments and concerns regarding the ordinance as written will be discussed at the end of this section

Collective Bargaining

The mutual obligation of Fairfax County and the exclusive bargaining representative to negotiate employment terms including wages, benefits, personnel policies and practices, and working conditions, in good faith.

Financial obligations such as raises will be subject to appropriation of funds by the Board of Supervisors



Benefits

Include all forms of non-wage compensation provided to employees, (e.g. health insurance)



Collective Bargaining Units in Fairfax County

Police

Collective Bargaining
Agreements in place



Fire & Rescue

Collective Bargaining
Agreements in place



General County Employees

No Collective
Bargaining
Agreements in place



ALL County employees at the S-32 and L-7 level and below including limited term/benefits eligible employees.

EXCEPTIONS include:

- Seasonal, temporary, volunteers, contractors, interns
- New employees within 60 days of start date
- A member of a board/commission or appointee as designated
- Employee of courts/constitutional officer as designated by VA constitution
- Managerial – those executive level employees involved directly in the determination of labor Relations/personnel policy





“Supervisors” while defined as individuals who supervise two or more people, this term is not to be confused with those whose job it is to supervise staff. The term as used here applies to:

- Those individuals who are upper level management and who deal directly with employee confidentiality as it relates to complex personnel matters and confidential labor relations matters for individuals formulating labor policies.
- Supervisors/Confidential employees are determined by County Human Resources.



Confidential Employee

Very few individuals identified

- Generally, upper-level management handling confidential labor relations matters for individuals formulating labor policies
- Do not consist of employees who manage employee time or other payroll issues, nor those who manage confidential information on clients or the public

Confidential Employees are specifically designated by the Department of Human Resources.

IF YOU HAVE BEEN RECEIVING EMAILS FROM FWC, YOU HAVE BEEN IDENTIFIED BY DEFAULT AS BEING IN THE COLLECTIVE BARGAINING UNIT

Employee Organization

One where employees participate with the purpose of representing employees in collective bargaining

A close-up photograph of a fountain pen with a gold nib writing the word "Agreement" in a cursive script on a white surface. The pen is positioned on the right side of the frame, and the word is written diagonally across the center.

Collective Bargaining Agreement

Is a written legal contract between the County and an exclusive bargaining agent who represents employees within the bargaining unit

Exclusive Bargaining Agent: An organization (or Union) recognized by the County

- Is the ONLY organization authorized to bargain collectively for all employees in the unit and will be the only source of representation for employees regardless of their union affiliation
- Is selected by a majority of employees who choose to vote in an election.

Currently, there are more than 10,000 County employees in the bargaining unit

The majority of those in the bargaining unit do not have to vote for exclusive representation; however, those who do exercise their right to vote will decide the only entity allowed to bargain for all employees – based on a majority.





Under the ordinance **Employees have the right to:**

- Organize, form, join, assist and participate in employee organizations for the purpose of collective bargaining
- Hold informal conversations/interactions to discuss workplace and union activities while on duty – while not interfering with job duties
- Use County electronic communication systems to discuss union business or activities.
- Represent an exclusive bargaining agent, engage in collective bargaining, or represent employees in grievances during County time

The ordinance PROHIBITS:

ANY form of intimidation or coercion of employees who opt to exercise their rights.

- Employees are not required to officially join a union although if one is elected to represent the bargaining unit, then the employee must go to that union for representation.

ALL EMPLOYEES SHOULD EDUCATE THEMSELVES AND FULLY UNDERSTAND STATEMENTS AND INTENTS PRIOR TO SIGNING ANYTHING!

Employees do have the right to rescind their signature upon request.





The County has rights under the Ordinance, including:

- Management and operational control
- Determining type and scope of work performed
- Directing employees work; standards of behavior, qualifications and job descriptions
- Establishing, expanding, reducing, altering County programs
- Creating, eliminating positions, contracting

Changes affecting employees job status are negotiable.

The Union elected by the majority of those voting will:

- Speak on behalf of all individuals in the bargaining unit
- Meet with employees on work-related matters
- Engage in good faith efforts to collectively bargain

The only representation employees will have to represent them in work-related concerns including, but not limited to, grievances, workers comp claims, family medical leave



FWC Concerns



FWC supports collective bargaining. We feel the ordinance falls short of a process that ensures true and fair collective bargaining.

THE BARGAINING UNIT IS TOO LARGE

- Does not follow normal practices nationally-other jurisdictions in Virginia have separate units.
- Should have a minimum of three separate units based on similar job classes. These include: Trades workers, administrative (para-professional and professional employees), and one for management. In addition one for Limited Term employees (as they do not have the same rights as merit employees.)

Representing both line staff and management in labor disputes is not fair or effective.

- Puts employees at lower pay scales at a disadvantage

Now that we understand Collective Bargaining, How do we get there?

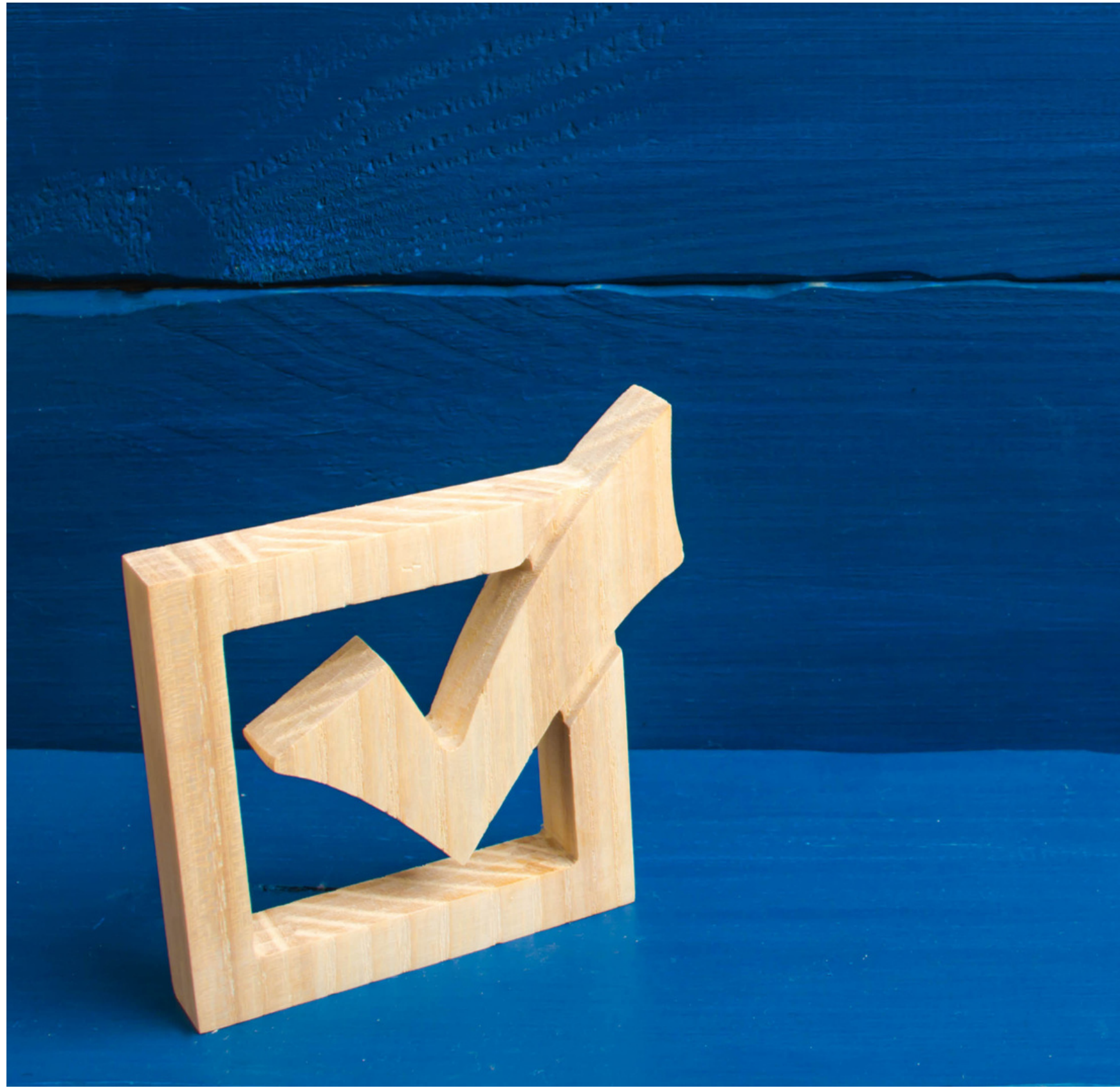
Next Steps

Electing an Exclusive Bargaining Agent

3-10-8, 3-10-9

As stated before, the exclusive bargaining agent will be the ONLY representation available for all employees in the BU.

- For All work related matters including disciplinary action, whether or not they are a member of the bargaining union



The bargaining agent must be chosen by an election

FOR ANY UNION TO BE INCLUDED ON AN ELECTION BALLOT:

- There must be ***administratively acceptable evidence to support a petition for recognition of certification of election.***
- Evidence can consist of petitions, intent cards or union membership applications

Employees should complete an intent card indicating their desire to have choices on the ballot by selecting the union they would most likely support



To be included on the election ballot:

30% of the employees in the bargaining unit need to complete an intent card or membership application if that employee organization (union) is to appear on the election ballot

- If one union submits a petition with at least 30% of employee intent cards, any other unions have minimal time to submit an intervention requiring an additional 30% of new signatures.





The Election - will take place by secret ballot

All employees in the Bargaining Unit may vote

It is NOT required that the majority of the employees in the Bargaining Unit vote, but rather the elected union is determined by the majority of votes submitted – no matter how few employees' vote.

The ballot will include unions that have met criteria for administratively acceptable evidence as well as a choice for “no representation” - meaning employees do not wish to have collective bargaining at this time. Should this happen, the process can begin again after one year.



The Labor Relations Administrator

- Has been appointed by the County
- Will interpret and administer all terms of the ordinance
- Make decisions on administratively acceptable evidence
- Conduct the election
- Will establish and carry out mediation, arbitration, and the grievance process when conflict or disputes arise between employee to employee, and employee to management.

FWC Concerns



FWC wholeheartedly supports a fair election process, however we see the following concerns with the ordinance as it pertains to the election process:

- Administratively acceptable evidence is not clearly defined, but rather at the discretion of one individual, the LRA
- Getting 30 % of the signatures of all employees in the bargaining unit is extremely difficult and how are intent cards counted if an employee has completed more than one for different unions?
- The ultimate vote can be determined by even less than 10% of the employees. The bargaining agent is determined by the majority of votes submitted.

What Can You Do



Educate yourself on the collective bargaining process

Contact the Fairfax Workers Coalition with questions via email, phone, or in person

Complete a a FWC membership application – dues are \$10 per pay period

Complete a FWC intent card showing your support for FWC as a choice on any upcoming election ballot. This does NOT obligate you to join the union.



Membership applications and intent cards can be emailed to you by contacting fairfaxworkerscoalition@outlook.com

OR on our website:

www.thefairfaxunion.org/membership/forms

Dave Lyons

Executive Director

571-991-5386

Carol Taylor

Secretary Treasurer

703-401-3131

Collective Bargaining Ordinance

October 19, 2021

 [Read the Ordinance](#)

Virtual Collective Bargaining Seminar

 [April 26, 2023 Recording with John Cook](#)



[Join FWC](#) 