



H.R. 980 – Public Safety Employer-Employee Cooperation Act

Floor Situation

H.R. 980 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Dale Kildee (D-MI) on February 12, 2007. The Committee on Education and Labor approved the bill as amended by a vote of 42 to 1 on June 20, 2007.

H.R. 980 is expected to be considered on the floor on July 17, 2007.

Summary

H.R. 980 would establish federal collective bargaining rights and labor law standards for state and local firefighters, law enforcement officials, and emergency medical service personnel. Within 180 days of the bill's enactment, the Federal Labor Relations Authority (FLRA) must assess each state's labor laws and determine whether they meet the following criteria:

- Granting state and local firefighters, law enforcement officials, and emergency medical service personnel the right to form and join a labor organization;
- Requiring employers to recognize and bargain with the employees' labor union;
- Providing for bargaining over hours, wages, and terms and conditions of employment;
- Providing an interest impasse resolution mechanism such as fact-finding, mediation, arbitration, or comparable procedures; and
- Requiring enforcement of these rights and responsibilities through State courts.

The FLRA must issue federal regulations based on these criteria within a year. States must meet these criteria within two years (or within the first regular session of the state's legislature after the bill's enactment). Otherwise, the federal standards are imposed on the state.

The bill prohibits lockouts and strikes. It also forbids labor organizations from calling for a strike.

The bill includes a provision specifying that it could not preempt State law solely because such law does not require bargaining with respect to pension and retirement benefits. The bill allows an exemption for political subdivisions with a population less than 5,000

or that employ fewer than 25 full-time employees. It also authorizes such sums as are necessary to carry out the provisions in the bill.

Background

During committee markup, Congressman Kildee (D-MI) offered a substitute amendment that addressed several of the concerns raised by Republicans by 1) ensuring that State law was not preempted because it excludes pensions and retirement benefits from collective bargaining; 2) providing an enforcement mechanism for the no-strike clause; 3) providing adequate time for States to modify their laws; and 4) granting adequate judicial review of determinations by the [Federal Labor Relations Authority](#) (FLRA).

“Historically, a number of concerns have been raised with this legislation, or similar attempts to mandate federal labor standards onto state and local employees. These concerns relate primarily to questions of states’ rights, federal mandates, and the practical consequences of the bill, as well as the constitutionality of efforts by the federal government to regulate a state’s labor relations with its public employees.” (Committee Report, Republican Views, 7/13/2007)

As of July 16, 2007, H.R. 980 has 280 cosponsors.

Cost

The Congressional Budget Office estimates that implementing H.R. 980 would cost \$44 million from 2008-2012 ([CBO Estimate](#)).

Staff Contact

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