

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
LINCOLN COUNTY, WASHINGTON**

**IN THE MATTER OF IMPROVING)
TRANSPARENCY BY NEGOTIATING) RESOLUTION 16-22
COLLECTIVE BARGAINING CONTRACTS)
IN A MANNER OPEN TO THE PUBLIC)**

WHEREAS, the Board of County Commissioners of Lincoln County having convened in Regular Session, in their office at the Lincoln County Courthouse this 6th day of September 2016, with all members present; and

WHEREAS, A transparent government is the top priority for Lincoln County; and

WHEREAS, The Open Public Meetings Act was passed by citizen initiative in 1972; and

WHEREAS, The legislative declaration of the Open Public Meetings Act (RCW 42.30.010) states in part:

The people of this state do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.; and

WHEREAS, Collective Bargaining Agreements are among the most expensive contracts negotiated by Lincoln County; and

WHEREAS, Both taxpayers and employees deserve to know how they are being represented during collective bargaining negotiations; and

WHEREAS, The impression of secret deal-making will be eliminated by making collective bargaining negotiations open to the public, and

WHEREAS, Public observance of collective bargaining contract negotiations will not preclude bargaining representatives of both sides from meeting separately and privately to discuss negotiating tactics, goals, and methods, and

WHEREAS, Opening collective bargaining negotiations to the public does not mean that the public will participate in the negotiations; and

WHEREAS, Collective bargaining is defined in statute (RCW 41.56.030) as:
...the performance of the mutual obligations of the public employer and the exclusive bargaining representative to meet at reasonable times, to confer and negotiate in good faith, and to execute a written agreement with respect to grievance procedures and collective negotiations on personnel matters, including wages, hours and working conditions, which may be peculiar to an appropriate bargaining unit of such public employer, except that by such obligation neither party shall be compelled to agree to a proposal or be required to make a concession unless otherwise provided in this chapter.; and

WHEREAS, Making collective bargaining contract negotiations transparent does not conflict with and is not preempted by state law; and

WHEREAS, The Open Public Meetings Act (RCW 42.30.140) permits collective bargaining contract negotiations to be exempted from the open public meetings *requirements*, but this exemption does not *compel* such negotiations to be secret; and

WHEREAS, The Open Public Meetings Act (RCW 42.30.140) does not prohibit governments from making these negotiations open to the public;

THEREFORE, BE IT RESOLVED,

From this day forward, Lincoln County shall conduct all collective bargaining contract negotiations in a manner that is open to the public; and

Lincoln County shall provide public notice of all collective bargaining negotiations in accordance with the Open Public Meetings Act (RCW 42.30.060 - 42.30.080); and

This resolution does not include meetings related to any activity conducted pursuant to the enforcement of a collective bargaining agreement (CBA) after the CBA is negotiated and executed, including but not limited to grievance proceedings; and

That Lincoln County send a copy of this resolution to all Department Heads, to all union representatives, and all others deemed appropriate by the Board of Lincoln County Commissioners.

DATED at Davenport, Lincoln County, Washington, this 6th day of September, 2016.



ATTEST

Clerk of the Board – Shelly Johnston

By Marci Patterson
Deputy Clerk of the Board
Marci Patterson

BOARD OF COUNTY COMMISSIONERS
OF LINCOLN COUNTY, WASHINGTON

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