



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

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File #: 2155, Version: 1

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### Subject:

Policy Restricting Board Members from Negotiating with Unions During Formal Negotiations

### Fiscal Impact:

N/A

### Dept/Office:

District 3

### Requested Action:

Board consideration and adoption of the attached policy.

### Summary Explanation and Background:

Currently, Union members are generally restricted from engaging in direct negotiations with Board members during periods of formal negotiations. For instance, Article 1 of the County's current agreement with the IAFF states in part "the Union further recognizes its obligation to bargain solely and exclusively with the County Manager and/or designees, *and to refrain from any direct negotiations with the legislative body of the County (County Commission) or any of its members regarding work related issues*" [emphasis added].

The attached policy attempts to apply similar restrictions to members of the Board. This is necessary for several reasons. First and foremost, it is a matter of parity; both sides of the negotiations should be placed under the same constraints where possible.

Second, this policy will reach those situations where an individual is acting (knowingly or not) as an agent of a Union but is not a party to a collective bargaining agreement. This could include family members, friends, and others who may not realize the formal and complex nature of these negotiations. It is far more sensible in these circumstances to put the onus on elected officials and their staff to refrain from engaging in negotiations than to pursue a potential breach of the collective bargaining agreement by a Union.

This policy does not reduce access to the negotiation process. Indeed, it will likely serve to direct interested individuals to the proper channels to give input: publicly advertised meetings in which lawful negotiation take place.

Similarly, this policy does not infringe on any Union member's ability to access members of the Board on matters not related to labor negotiations. For example, should there be a zoning issue which a Union member would like to discuss with a Board member, nothing in this policy would prevent such a discussion.

## **Clerk to the Board Instructions:**