

**WITHDRAWN AS OF 10/1/2014**

Intro. Res. No. 1748-2014  
Introduced by Legislators McCaffrey and Browning

Laid on Table 7/29/2014

**RESOLUTION NO. -2014, ADOPTING LOCAL LAW  
NO. -2014, A LOCAL LAW TO CLARIFY COLLECTIVE  
BARGAINING REQUIREMENTS FOR COUNTY  
CONTRACTORS**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on \_\_\_\_\_, 2014, a proposed local law entitled, "**A LOCAL LAW TO CLARIFY COLLECTIVE BARGAINING REQUIREMENTS FOR COUNTY CONTRACTORS;**" now, therefore be it

**RESOLVED**, that said local law be enacted in form as follows:

**LOCAL LAW NO. -2014, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW TO CLARIFY COLLECTIVE BARGAINING  
REQUIREMENTS FOR COUNTY CONTRACTORS**

**BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK**, as follows:

**Section 1. Legislative Intent.**

This Legislature hereby finds and determines that the County of Suffolk spends tens of millions of dollars each year to contract for the purchase of goods, services and public works that benefit Suffolk County residents.

This Legislature also finds that the County of Suffolk enacted Local Law No. 26-2003 to ensure that monies appropriated by the County to purchase goods and services would not be used to promote or deter union organizing.

This Legislature also finds that Local Law No. 26-2003, which is codified at Chapter 803 of the SUFFOLK COUNTY CODE, requires County contractors to adopt non-confrontational policies and procedures for the orderly resolution of their labor disputes.

This Legislature further determines that card check procedures, by which employers agree to recognize a union based on a majority of bargaining unit employees signing authorization cards, are desirable because they help reduce conflict between employers and their workers, improve labor relations and ensure the efficient delivery of goods and services.

This Legislature further finds that in enacting Local Law No. 26-2003, the County Legislature determined that "the County's financial interests are advanced by the promotion of non-confrontational procedures which limit the economic and social disruptions associated with collective bargaining disputes."

This Legislature concludes that Local Law No. 26-2003 needs to be strengthened and clarified to ensure that the law is effectively implemented.

Therefore, the purpose of this local law is to clarify the requirements of Local Law No. 26-2003, to ensure that County contractors utilize non-confrontational procedures to resolve their labor conflicts and thereby ensure that the County's limited financial resources are used efficiently.

**Section 2. Amendments.**

Chapter 803 of the SUFFOLK COUNTY CODE is hereby amended as follows:

**CHAPTER 803. UNION ORGANIZING**

**Article I. Use of County Resources to Interfere with Collective Bargaining Activities**

\* \* \* \*

**§ 803-6. Implementation.**

\* \* \* \*

E. Ensure that every contract for the provision of services, which services were provided by County employees immediately prior to such contract, include as a condition of award, grant receipt or reimbursement, as the case may be, a requirement that such County contractor accept, at the least, a neutrality agreement and a majority authorization card agreement.

\* \* \* \*

**Section 3. Applicability.**

This law shall apply to contracts entered into by the County of Suffolk on or after the effective date of this law.

**Section 4. Severability.**

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

**Section 5. SEQRA Determination.**

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration,

management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

**Section 6. Effective Date.**

This law shall take effect immediately upon its filing in the office of the Secretary of State.

\_\_\_ Underlining denotes addition of new language

DATED:

APPROVED BY:

\_\_\_\_\_  
County Executive of Suffolk County

Date: