



# Collective Bargaining Update

Personnel Committee Meeting  
Cathy Spage, HR Director  
February 1, 2022

# Collective Bargaining Update

- Labor Relations Administrator (LRA) Search & Appointment
  - Request for Proposal (RFP) Process
  - RFP Timeline
  - LRA Appointment
  - LRA Tasks
- Determination of “Confidential Employees”
- Collective Bargaining Training for Managers
- Next Steps

# Labor Relations Administrator (LRA) Search

- RFP Process
  - Draft RFP under review & near final
  - Selection Advisory Committee seating in process
  - LRA Opportunity to be advertised on Fairfax County Collective Bargaining website
  - Additional possibilities for advertising LRA opportunity
    - [National Academy of Arbitrators](#)
    - [National Academy of Distinguished Neutrals](#)
    - [Labor and Employment Relations Association](#)
    - [National Bar Association](#)
    - [SHRM](#)

# Timeline – LRA Search & Appointment

DATE	ACTIVITY
January 31 – Feb. 7, 2022	Review and finalization of draft RFP by SAC and County staff
February 9, 2022	RFP Opens
February 16, 2022	Pre-proposal Conference
March 9, 2022	RFP Closes/Due Date
March 14 – April 15, 2022	Review of Proposal Submissions by the Selection Advisory Committee Schedule & Receive Finalist Oral Presentations
Week of April 18	Referral of 3 nominees to County Executive <sup>1</sup>
Weeks April 18 – May 10	County Executive Appointment of LRA for BOS Consideration
May 24, 2022	BOS Consideration & Confirmation of County Executive Appointment
Summer 2022	LRA to begin term/appointment (The County shall negotiate a final contract with the appointed Labor Relations Administrator.)

<sup>1</sup>Section 3-10-7(d) provides, in part: "Subject to confirmation by the County Board of Supervisors, the County Executive shall appoint the labor relations administrator for a 4-year term from no more than three (3) nominees jointly agreed upon and submitted by: (i) representatives of those employee organizations with at least 300 Fairfax County employee dues-paying members that have notified the County Executive or his designee of their interest in representing bargaining units permitted by this Article, if no exclusive bargaining agents have been recognized at the time the selection process begins, or (ii) by the exclusive bargaining agents of the bargaining units permitted by this Article, and (iii) an equal number of designees of the County Executive."

## Labor Relations Administrator (LRA) Tasks

- Finalize decisions regarding positions included in each bargaining unit
- Establish and publish election procedures
- Determine whether a petition for election submitted by a union is valid in accordance with procedures established by the LRA
- Govern the election process
- Hold a secret ballot election
- Certify election results

## HR Managers' Action Item – “Confidential Employees” Determination

- Departments are reviewing positions to determine which are considered “confidential employees” as defined in Section 3-10-2 of the CB ordinance
- Guidance has been provided to HR Managers by DHR to assist in making accurate determination of those few employees who qualify and will be deemed as “confidential employees”
- Responses due to DHR from HR Managers in February

## Collective Bargaining Training (Managers)

- DHR researching collective bargaining training providers
- University of Wisconsin-Milwaukee under consideration
  - Adept at delivering public sector CB training virtually (pre-pandemic)
- DHR to collaborate with OCA & outside counsel, Cynthia Hudson, on curriculum/content
- HR Managers aware of upcoming training