

Collective Bargaining Frequently Asked Questions - #1

July 15, 2021

1. Q: What is collective bargaining?

A: Collective bargaining is a process by which an employer (such as Fairfax County Government) negotiates with a group of employees (a bargaining unit) that is represented by a bargaining agent (a union) over terms and conditions of employment.

2. Q: What is Fairfax County Government's staff discussion draft ordinance on collective bargaining?

A: Fairfax County discussion draft ordinance can be found on the [collective bargaining web page](#). It proposes a set of parameters by which the County might establish and implement collective bargaining for its employees. The Board's Personnel Committee reviewed the discussion draft ordinance in its two most recent committee meetings. A revised discussion draft, incorporating feedback received in these meetings, is expected to be posted on the County's website on July 16, 2021. If adopted by the Board, the ordinance would be included in Chapter 3 of the Code of the County of Fairfax. Please note that the draft ordinance has been revised several times to date. You should check to be sure you are reviewing the most recent draft. Visit Fairfax County's [collective bargaining web page](#) to stay up to date and access the latest draft ordinance and additional information.

3. Q: Why is Fairfax County Government developing a collective bargaining ordinance and, in effect, allowing the county to negotiate with unions?

A: The Virginia General Assembly approved legislation that became effective May 1, 2021, that allows municipalities to enact an ordinance to authorize creating collective bargaining agreements with employees. In the [Personnel Committee meetings on March 2, May 25, and June 29](#), the rationale for potentially allowing collective bargaining was discussed in more detail, and those meetings can be viewed on demand on the County's website. In addition, Fairfax County Government has a history of including employee groups in major decisions. For example, members of employee groups sit on workgroups affecting such topics as Performance Management and county retirement plans. Please note that the ordinance does not create a union. It creates a process by which the county may formally negotiate with unions or similar organizations that represent employees regarding certain matters affecting county employees' work and to provide a formal process by which representation may happen and agreements may be reached.

4. Q: I am a Fairfax County Government employee. Am I required to join/participate in a union?

A: No. Membership/participation in a union by an employee in a bargaining unit will be entirely voluntary. Employees may choose to join or not join a union.

5. Q: As a Fairfax County Government employee, if I join a union, will I have to pay dues? If yes, how much will the dues cost?

A: Employees who choose to join a union typically will pay dues to be a member. Details of union membership, such as dues, will be determined by the union and may be subject to change over time.

6. Q: Do I have to pay dues if I do not join a union?

A: No, you will not need to pay union membership dues if you choose not to join a union.

7. Q. If I am in a bargaining unit but I do not join a union, will I still be covered by the contract for the bargaining unit?

A. Yes. Once a contract is reached with a union for a bargaining unit, all employees in the bargaining unit are covered by the contract, affected by the agreement and represented by the union, as the union would be bargaining on behalf of *all* employees in a specific collective bargaining unit.

8. Q. If I am in a bargaining unit, am I automatically a member of the union?

A. No. Being an employee who is part a bargaining unit does not automatically confer membership in the union.

9. Q. How many bargaining units will there be?

A. Staff's discussion draft ordinance dated May 25, 2021, proposes three (3) bargaining units---one for uniformed police, one for uniformed Fire/EMS, and one for general employees.

10. Q. Can there be more than one bargaining agent (union) for a bargaining unit?

A. No. There will be only one bargaining agent (union) per bargaining unit.

11. Q: Does collective bargaining apply to both Fairfax County Government employees *and* to Fairfax County Public Schools employees?

A: The finalized collective bargaining ordinance for Fairfax County Government will apply to Fairfax County Government employees only.

12. Q: Where can I find Fairfax County Government's collective bargaining ordinance?

A: The most recent proposed discussion draft ordinance for Fairfax County government is available online. Please note that the draft ordinance has been revised several times to date. You should check to be sure you are reviewing the most recent draft. Visit Fairfax County's [collective bargaining web page](#) to stay up to date and access the latest draft ordinance and additional information.

13. Q: Can employees strike under the Fairfax County Government collective bargaining ordinance?

A: No. Virginia Code Section 40.1-55 prohibits public employees from engaging in a strike. The proposed discussion draft collective bargaining ordinance contains that prohibition on strikes.