

## Responses to Questions on Collective Bargaining – Package 6

**Requested By:** Supervisor Herrity

**Question 1:** *1a.* Can you provide a chart that gives the number of dues-paying members by employee group? *1b.* How many employees are members of multiple employee groups?

**Response:**

Table A indicates the number of dues-paying members for each employee group and the total paid in membership dues. Table B summarizes the number of dues-paying members based on the number of different employee groups to which they belong.

**Table A. Number of Dues-Paying Members by Employee Group**

| Employee Group  | Number of Dues- Paying Members |
|---|--------------------------------|
| Coalition of Police                                   | 238                            |
| Fairfax County Government Employees Union (FCGEU)     | 1,681                          |
| Fairfax County Professional Fire & Rescue Association | 188                            |
| Fairfax Deputy Sheriff                                | 59                             |
| Fairfax Women’s Fire Association                      | 49                             |
| Fairfax Workers’ Coalition                            | 314                            |
| Fraternal Order of Police (FOP)                       | 544                            |
| IAFF (Fairfax County Professional Firefighters)       | 1,166                          |
| Law Enforcement Benevolent                            | 1,214                          |
| Police Association                                    | 481                            |
| Police Benevolent Association                         | 607                            |
| Progressive Firefighters of Fairfax                   | 129                            |
| Sheriff’s Association                                 | 121                            |
| <b>Total:</b>   | <b>6,791</b>                   |

**Table B. Employee Membership In One or More Employee Groups**

| Employee Group Memberships* | Number of Employees |
|-----------------------------|---------------------|
| 1                           | 3,656               |
| 2                           | 990                 |
| 3                           | 316                 |
| 4                           | 48                  |
| 5                           | 3                   |
| <b>Total:</b>               | <b>5,013</b>        |

*\*The “Employee Group Memberships” column represents the number of different employee groups in which an employee is a dues-paying member. For example, 48 employees are members of 4 different employee groups.*

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**Question 2:** For clarification for the public, will public collective bargaining negotiations be exempt from our Sunshine Law? Are there any exceptions to the law that would mean any kind of bargaining discussion could take place without public transparency?

**Response:**

The nature of the bargaining process set up by the ordinance is that it is conducted between management staff representatives and representatives of the elected union. As such, these are not meetings of a public body to which FOIA applies. As far as FOIA application to records generated in the bargaining process, many may likely be exempt from mandatory disclosure as working papers of the county executive, or some may constitute personal records (though possibly few). It is likely that many of the records generated will not be exempt from mandatory disclosure under FOIA, but that must be determined on a case-by-case basis as FOIA similarly does not contain any directly applicable categorical exemption for records generated in collective bargaining sessions.

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**Question 3:** How will the ordinance prevent people from voting twice to certify a bargaining unit?

**Response:**

Such matters as preventing people from voting twice to certify a bargaining unit would be addressed in procedural rules governing elections as developed by the Labor Relations Administrator (LRA).

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**Question 4:** Does the leadership of a union bargaining on behalf of employees have to disclose if they are a Fairfax County employee?

**Response:**

Whether or not the leadership of a union bargaining on behalf of employees must disclose if they are a Fairfax County employee may be the subject of negotiated contract provisions regarding bargaining "rules of engagement."

Employees who are union members may be negotiators for the union, subject to the ordinance provisions regarding the use of official time for such purposes.