



NATIONAL SHERIFFS' ASSOCIATION

March 9, 2010

The Honorable Robert E. Andrews, Chairman
The Honorable Tom Price, Ranking Member
Subcommittee on Health, Employment, Labor, and Pensions
House Committee on Education and Labor
Washington, DC 20515

Dear Chairman Andrews and Ranking Member Price:

We thank you for allowing the National Sheriffs' Association (NSA) to submit this letter into the official record for the House Education and Labor Subcommittee on Health, Employment, Labor, and Pensions' hearing on "H.R. 413 – Public Safety Employer-Employee Cooperation Act of 2009," held on March 10, 2010.

On behalf of the National Sheriffs' Association, I am writing to express our strong opposition to the Public Safety Employer-Employee Cooperation Act of 2009 (H.R. 413). The bill would mandate the federalization of public safety employees' collective bargaining at the state and local government levels.

H.R. 413 would essentially federalize state and local government labor-management relations, forcing sheriffs and peace officers to adhere to "one-size-fits-all" federally mandated labor-management guidelines. Moreover, the measure would supersede existing state and local collective bargaining agreements that is specifically tailored to the needs of its local jurisdiction.

Section 7 of the bill which states that existing state and local collective bargaining agreements would not be invalidated is misleading. The bill requires that these existing agreements would only be valid as long as they provide greater rights than those identified in the bill. Specifically, Section 4 of the bill states that public safety officers would be given the "right to bargain over hours, wages, and terms and conditions of employment." The right to bargain over "terms and conditions of employment" is overly broad, thus potentially invalidating any existing agreements that comply with specific state laws tailored to meet the needs of that state.

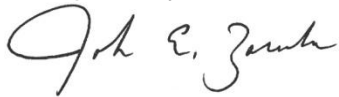
As you well know, the needs of law enforcement agencies vary depending on their size and locality. Therefore, collective bargaining agreements must reflect those different needs. H.R. 413 fails to make this distinction and does the law enforcement community a great disservice.

The proposed measure fails to recognize that each jurisdiction has unique needs and financial resources which influence how state and local governments approach their labor-management relations. To force sheriffs to follow federally mandated labor-management guidelines impedes our ability to function most effectively and allocate valuable resources to providing law enforcement services to our citizens.

The burden that H.R. 413 places on public safety agencies is particularly troublesome given the current economic crisis when states and localities are grappling with serious budget shortfalls. The provisions of H.R. 413 would force law enforcement to invest time, money and resources toward implementing and upholding collective-bargaining administration at the expense of public safety.

As one of the largest law enforcement organizations in the United States, I urge you to stand with the nation's sheriffs in opposing this ill-advised and unnecessary measure. We urge you to oppose the Public Safety Employer-Employee Cooperation Act of 2009 (H.R. 413) and allow the law enforcement community to maintain the ability to identify the best method of addressing labor-management relations in our own jurisdictions.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "John E. Zaruba". The signature is fluid and cursive, with the first name "John" being the most prominent.

Sheriff John E. Zaruba
President