

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF KITTITAS
STATE OF WASHINGTON**

ORDINANCE NO.: 2017-_____

**AN ORDINANCE ESTABLISHING A NEW SECTION OF THE KITTITAS COUNTY CODE
TO INCREASE COLLECTIVE BARGAINING TRANSPARENCY**

- WHEREAS: The Open Public Meetings Act was passed by citizen initiative in 1971; and
- WHEREAS: The legislative declaration of the Open Public Meetings Act (RCW 42.30.010) states in part:
The people of this state do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.; and
- WHEREAS: Taxpayers are entitled to remain informed about collective bargaining negotiations; and
- WHEREAS: Public observance of collective bargaining contract negotiations will not preclude bargaining representatives of both sides from meeting separately and privately to discuss negotiating tactics, goals, and methods; and
- WHEREAS: Collective bargaining negotiations that are open to the public does not mean that the public will participate in the negotiations; and
- WHEREAS: Collective bargaining is defined in statute (RCW 41.56.030 (4)) as:
...the performance of the mutual obligations of the public employer and the exclusive bargaining representative to meet at reasonable times, to confer and negotiate in good faith, and to execute a written agreement with respect to grievance procedures and collective negotiations on personnel matters, including wages, hours and working conditions, which may be peculiar to an appropriate bargaining unit of such public employer, except that by such obligation neither party shall be compelled to agree to a proposal or be required to make a concession unless otherwise provided in this chapter; and
- WHEREAS: Making collective bargaining contract negotiations transparent does not conflict with and is not preempted by state law; and

WHEREAS: The Open Public Meetings Act (RCW 42.30.140) permits collective bargaining contract negotiations to be exempted from the open public meetings requirements, but this exemption does not compel such negotiations to be exempt;

NOW, THEREFORE, BE IT ORDAINED: in order to foster openness and transparency in Kittitas County government, a new chapter shall be added to Title 2 of the Kittitas County Code, which shall state as follows:

CHAPTER 2.82 OPEN AND TRANSPARENT COLLECTIVE BARGAINING

2.82.005 Legislative Intent

The Board of County Commissioners declares it to be in the public interest for there to be openness and transparency in collective bargaining sessions and contract negotiations between Kittitas County and employee Collective Bargaining Units.

2.82.010 Open Collective Bargaining

All collective bargaining sessions and contract negotiations between Kittitas County and employee Collective Bargaining Units shall be held in meetings open to the public. Kittitas County shall provide notice to the public of all such sessions or contract negotiations.

2.82.020 No Public Testimony Allowed

Members of the public are invited to observe collective bargaining sessions and contract negotiations between Kittitas County and employee Collective Bargaining Units. However, members of the public will not be offered an opportunity to participate or offer testimony during the meeting.

2.82.030 Exceptions

The provisions of this chapter shall not apply to: a) grievance or mediation proceedings; b) discussions relating to the interpretation, enforcement, or application of a labor agreement; c) that portion of a meeting during which the governing body or employee collective bargaining unit is planning or adopting the strategy or position to be taken during the course of collective bargaining; or d) meetings or caucuses between an employee Collective Bargaining Unit and its exclusive bargaining representative.

Additionally, collective bargaining sessions or contract negotiations for subjects relating to employee safety or working conditions may be closed to the public as directed by the elected official(s) with authority over a particular Collective Bargaining Unit.

BE IT FURTHER ORDAINED, the Information Technology Department is charged with incorporating and updating the amendment authorized herein on the Kittitas County web page.

BE IT FURTHER ORDAINED, the Prosecuting Attorney's Office is charged with correcting any scrivener's errors arising out of the implementation of this Ordinance. No further authorization will be needed from the Kittitas County Board of Commissioners for the Prosecuting Attorney's Office to effect correction of scrivener's errors relating to this Ordinance.

BE IT FURTHER ORDAINED, the Board of County Commissions shall send a copy of this signed Ordinance to all Department Heads and Elected Officials, to all union representatives, and all others deemed appropriate by the Board of County Commissioners.

ADOPTED this _____ day of November, 2017.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
KITITAS COUNTY, WASHINGTON**

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- ☐ Clerk of the Board, Julie Kjorsvik
 - ☐ Deputy Clerk II, Mandy Buchholz

Paul Jewell, Chair

Laura Osiadacz, Vice-Chair

Obie O'Brien, Commissioner