



City of Emeryville

CALIFORNIA

MEMORANDUM

DATE: June 5, 2018

TO: Carolyn Lehr, City Manager

FROM: Sheri Hartz, City Clerk

SUBJECT: **Resolution Of The City Council Of The City Of Emeryville Urging The City Manager And The Human Resources Director To Continue To Work With Public Sector Unions In Emeryville To Ensure Their Health And Success; And Supporting The Freedom Of City Employees To Participate In Strong Unions Following The United States Supreme Court Decision On Janus v. AFSCME**

RECOMMENDATION

This agenda item was requested by Council Member Martinez. Whether to approve the resolution is at the Council's discretion.

BACKGROUND

At the City Council's May 15, 2018 meeting, Council Member Martinez requested and received majority support that an item be brought forward to discuss whether to consider approval of a resolution urging the City Manager and the Human Resources Department to work with public sector unions in Emeryville to ensure their health and success; and supporting the freedom of City employees to participate in strong unions in the aftermath of the United States Supreme Court decision *Janus v. AFSCME*. On March 6, 2018, the City and County of San Francisco passed such a resolution.

DISCUSSION

The ability to participate in unions gives employees, particularly women and people of color, a powerful voice in speaking up for themselves and helps to ensure that they receive proper treatment while at work. Unions provide labor groups the power in numbers to negotiate higher wages and improved benefits, such as health care, and people working collectively in unions have won victories like the 40-hour work week, overtime pay, and health and safety standards, as well as advanced policies especially important to women such as paid leave, earned sick time, and the reduction of the gender pay gap.

The United States Supreme Court is considering the case *Janus v. AFSCME Council 31*, which could restrict unions from requiring dues from non-member employees who benefit from collective bargaining, thereby weakening the unions' power to effectively negotiate on behalf of all public sector. An unfavorable decision in this case may deny public sector workers the freedom to access strong unions.

The City of Emeryville relies on public service employees and supports the freedom of all employees to exercise their right to join together in strong unions.

Approval of this resolution would urge the City Manager and the Human Resources Department to continue their current work with the public sector unions in the City of Emeryville to ensure their health and success following a potential *Janus* Supreme Court case decision. This would be accomplished by the City continuing its usual practices of cooperation in mitigating impacts and by engaging in good faith discussions regarding the unions' implementation of a membership card, which would provide the ongoing financial commitments of unit members, and adequate release time for union leaders to explain the implications of a negative Janus decision and to encourage continued union membership to their city employee colleagues.

FISCAL IMPACT

None at this time.

STAFF COMMUNICATION WITH THE PUBLIC

None

PREPARED BY: Sheri Hartz, City Clerk

**APPROVED AND FORWARDED TO THE
CITY COUNCIL OF THE CITY OF EMERYVILLE:**



Carolyn Lehr, City Manager

ATTACHMENT

- Draft Resolution