

1 HOUSE JOINT RESOLUTION NO. 28

2 INTRODUCED BY M. CUFFE

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4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF
5 MONTANA REQUESTING AN INTERIM STUDY OF THE COLLECTIVE BARGAINING PROCESS AS USED
6 IN DETERMINING PAY FOR STATE EMPLOYEES; AND REQUIRING THAT THE FINAL RESULTS OF THE
7 STUDY BE REPORTED TO THE 65TH LEGISLATURE.

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9 WHEREAS, the process for collective bargaining for state employees who are members of unions is
10 complicated because the negotiators are in the executive branch and the appropriators are in the Legislature as
11 well as because an estimated 38.7% of executive branch state employees are not dues-paying union members
12 yet typically receive the negotiated benefits; and

13 WHEREAS, budgeting decisions are negotiated prior to and during development of a state budget in the
14 executive branch but the negotiation does not involve legislators, who ultimately are not obligated to "rubber
15 stamp" the amount that was negotiated; and

16 WHEREAS, in the 2013 legislative session, legislators appropriated a lump sum that allowed the
17 executive branch to choose how to allocate the amounts intended for both the negotiated pay increases for union
18 employees and the nonnegotiated amounts allowed for nonunion employees; and

19 WHEREAS, 65 bargaining units in 16 of 26 agencies in the executive branch negotiate agreements and
20 in some years the agreements have been used to increase wages equally with nonunion employees who have
21 had what unions call a "free ride" by not paying union dues or an equivalent amount to an optional beneficiary;
22 and

23 WHEREAS, the House Joint Resolution No. 17 study of state pay plans requested by the 2013
24 Legislature for the FY 2013-2014 interim, which looked at salary surveys and the market adjustments that take
25 place broadly in state government as well as collective bargaining, suggested the Legislature consider changes
26 in timing and contained information regarding parties to the negotiation process and the scope of the bargaining
27 process.

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29 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
30 STATE OF MONTANA:

