

MOTION

The City of Los Angeles has a long history of supporting the right of its employees to organize and collectively bargain to protect worker rights and interests. At the same time, as the City has evolved, an increasing number of City functions and facilities have become operated and staffed by outside entities under contract to the City. The matter of labor relations pertaining to those contractors and vendors typically has not been a primary focus of the City, and there are situations in which such focus probably would not be relevant, such as very small contracts.

Conversely, there are City contractual situations which have been privatized primarily in order to take advantage of the opportunity to access specialized expertise. If such expertise was available within the City's workforce and from qualified civil service job candidate lists, the employees likely would be members of one or more of the unions that represent the City's workers, consistent with the long-standing tradition of the City of Los Angeles.

The City can provide all non-City employees conducting City functions and working at City facilities with an opportunity to consider organizing as the need or desire arises. It also should simultaneously protect the public's interest in having its business conducted in a continuous and harmonious manner. To do this the City should ensure that organized labor is considered for the provision of contract labor and institute a neutrality (also known as "labor peace" or "labor harmony") requirement applicable to all contracts on an as-needed basis. Certain City departments, most notably Los Angeles World Airports, have already adopted such requirements for certain purposes. Labor peace agreements ensure that fair organizing is possible without mandating a specific outcome.

Although labor peace agreements vary considerably, in most of them employers agree to grant workplace access, provide employee information early in the organizing campaign, and refrain from making disparaging statements about the union. These agreements can also require that employers assent to card check recognition and neutrality. The unions agree not to strike or disrupt operations.

These agreements protect the City's financial interests when the enterprise in question generates ongoing revenues that can help to repay loans or bonds or replenish the General Fund. These revenues would be impacted by labor-related interruptions of operations.

I THEREFORE MOVE that the Council adopt a formal policy that organized labor be considered the "preferred provider" in all contractual situations in which it can provide the required expertise and skill; and

I FURTHER MOVE that the City Attorney be requested to prepare and present an ordinance requiring a neutrality agreement for all contractors, vendors and service providers subject to any of the City's procurement processes; and

I FURTHER MOVE that the requirement include reference to dealing with grievances, labor disputes, wages, rates of pay, hours of employment, conditions of work; binding and enforceable prohibitions on picketing, work stoppages, boycotts or other economic interference for the duration of the agreement; certification procedures; and mediation procedures.

PRESENTED BY: Paul Koretz
PAUL KORETZ, Councilmember, 5th District

SECONDED BY: Ed R. Hernandez


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