



Fremont County Board of Commissioners

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Kevin Grantham
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March 8, 2022

The Honorable Jared Polis, Governor
136 State Capitol
Denver, Colorado 80203-1792

Re: Collective Bargaining for County Governments

Dear Governor Polis:

On behalf of Fremont County, we are writing to you today to voice concerns regarding the direction that the local government collective bargaining conversation has taken. We are very concerned about a mandated collective bargaining approach that applies only to county governments. It is our understanding that higher education and municipal governments both have been negotiated out of the proposed Bill.

Colorado statutes presently allow county governments to consent to collective bargaining units. Like every other employer in Colorado, county governments are struggling in a post-COVID world. As noted by Colorado Counties, Inc. in its earlier correspondence to you, county workforces are suffering from burnout and the stress of dealing with the pandemic. Fremont County struggles with finding qualified people to fill the many vacant positions that presently exist. Some have been vacant for months.

Collective bargaining has never been a state mandate for county governments in Colorado. County budgets for smaller counties such as Fremont are squeezed as the county makes best efforts to deliver all the many required services to its citizens. Collective bargaining arrangements will almost certainly strain county budgets even further with salary increases, the need for additional and more extensive legal services, retirement contribution increases, increased burden on human resources personnel and loss of flexibility regarding work assignments among county staff. In smaller counties, the elected officials directly manage their staff and run their offices. Newly elected officials often have no experience in government, management and employment issues. The Colorado Constitution basically requires these officials to be over the age of 18 and residents of the county. This is not a situation that will change if collective bargaining is mandated, but will certainly expose counties to greater risk and liability because the elected officials are not labor law experts, but will be expected to understand complicated concepts with little or no assistance. Many smaller counties lack a full-time county attorney, but would be expected to handle complex labor issues similar to those of the State of Colorado, but without the vast state resources. This is a burden that medium and small counties are not prepared for or capable of handling.

It is wholly inequitable to burden counties with this collective bargaining obligation. It has the potential to make hiring and retaining people in a post-COVID world even more difficult. Fremont County wishes to continue to provide as many services to its constituents and to balance that with treating all employees with dignity, respect and gratefulness for their service. Fremont County provides generous benefits, leave, and workplace flexibility, but needs to continue to have the ability to use taxpayer dollars in a prudent manner that meets the needs of both the citizens and the county employees. Larger employers, public and private, have greater resources and are better able to work with collective bargaining issues and complexities. Most Colorado counties lack the resources and expertise to enter into this labor arena. Not all counties have teams of attorneys and personnel experts equipped to engage in collective bargaining and all the consequences that flow from such arrangements. Fremont County certainly does not.

As noted by CCI, there are also state budgetary impacts that must be considered if collective bargaining for counties moves forward. As counties are responsible for delivering a wide number of state services (elections, human services, courts and district attorneys, law enforcement, public health, etc.) the state shares in the cost of providing those services. If counties are forced to pay higher wages and benefits, there will be a direct fiscal impact to not only counties but the state as well. If the state has no plan for assisting the 64 counties with the costs and impacts of such a significant change in employment circumstances, perhaps this is merely a solution looking for a problem that doesn't exist.

Fremont County hereby expresses its strong opposition to this proposed change to the workplace by requiring counties to engage in collective bargaining, a circumstance that is a significant and burdensome imposition on counties already struggling to fulfill a multitude of statutory and constitutional duties for their communities. Thank you for your consideration to our position.

Sincerely,



Kevin Grantham
Commissioner, District 1



Debbie Bell
Chair, Commissioner District 2



Dwayne McFall
Commissioner, District 3

cc:

The Honorable Alec Garnett, Speaker, Colorado House of Representatives
The Honorable Daneya Esgar, Majority Leader, Colorado House of Representatives
The Honorable Hugh McKeen, Minority Leader, Colorado House of Representatives
The Honorable Steve Fenberg, President, Colorado Senate
The Honorable Dominic Moreno, Majority Leader, Colorado Senate
The Honorable Chris Holbert, Minority Leader, Colorado Senate