

By: Alvarado

H.B. No. 4042

A BILL TO BE ENTITLED

AN ACT

relating to collective bargaining for firefighters and police officers, including county jailers and detention officers.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 174.102, Local Government Code, is amended to read as follows:

Sec. 174.102. RECOGNITION OF BARGAINING AGENT FOR POLICE OFFICERS. (a) Except as provided by Subsection (b), a [A] public employer shall recognize an association selected by a majority of the police officers of the police department of a political subdivision as the exclusive bargaining agent for the police officers of that department unless a majority of the police officers withdraw the recognition.

(b) A majority of the county jailers and detention officers of a sheriff's department may select an association as the exclusive bargaining agent for the county jailers and detention officers, and the sheriff's department shall recognize the association unless a majority of the county jailers and detention officers withdraw the recognition. If the county jailers and detention officers select an exclusive bargaining agent under this subsection:

(1) the county jailers and detention officers of the sheriff's department and the peace officers of that department are separate collective bargaining units under this chapter; and

1 (2) the association that represents the county jailers
2 and detention officers and the association that represents the
3 peace officers may voluntarily join together for collective
4 bargaining with the sheriff's department.

5 SECTION 2. Section 174.109, Local Government Code, is
6 amended to read as follows:

7 Sec. 174.109. RATIFICATION AND ENFORCEABILITY [~~EFFECT~~] OF
8 AGREEMENT. (a) An agreement under this subchapter [~~chapter~~] is
9 binding and enforceable against a public employer, an association,
10 and a fire fighter or police officer covered by the agreement if:

11 (1) the governing body of the political subdivision
12 ratified the agreement by a majority vote; and

13 (2) the association ratified the agreement by
14 conducting a secret ballot election at which the majority of the
15 employees covered by the agreement favored ratifying the agreement.

16 (b) An agreement ratified as described by Subsection (a) may
17 establish a procedure by which the parties agree to resolve
18 disputes related to a right, duty, or obligation provided by the
19 agreement, including binding arbitration on a question involving
20 interpretation of the agreement.

21 (c) A state district court of a judicial district in which
22 the political subdivision is located has jurisdiction to hear and
23 resolve a dispute under the ratified agreement on the application
24 of a party to the agreement aggrieved by an action or omission of
25 the other party when the action or omission is related to a right,
26 duty, or obligation provided by the agreement. The court may issue
27 proper restraining orders, temporary and permanent injunctions, or

1 any other writ, order, or process, including a contempt order, that
2 is appropriate to enforcing the agreement.

3 SECTION 3. This Act takes effect September 1, 2015.