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eneral Counsel
hyllis ^ Errico, Esq., CAE

207 E. Main St.
uite 300
ichmond, Virginia
3219-3627

HONE: 804-788-6652
AX: 804-788-0083

-mail: mail@vaco.org
Web site: www.vaco.org

August 24, 2009

The Honorable Mark R. Warner
459A Russell Senate Office Building
Washington, DC 20510

Dear Senator Warner:

I am writing to you concerning the Public Safety Employer-Employee Cooperation Act of 2009 (H.R. 413 and S.R.1611) and to convey to you that the Board of Directors of the Virginia Association of Counties voted at its meeting of August 14, 2009 to communicate with members of the Virginia Congressional delegation its opposition to this legislation.

This proposed legislation mandates states and local governments to enter into collective bargaining agreements with their public safety employees. More specifically, it provides minimum collective bargaining standards for state and local police, firefighters and emergency medical personnel. In accordance with the proposed legislation, the Federal Labor Relations Authority is to develop regulations and minimum criteria for state and local governments. The FLRA would review each state's collective bargaining agreement to determine if it is in compliance with the act. Those states that fail to meet the FLRA criteria would have to change their laws to come into compliance, or they would be subject to regulation of collective bargaining agreements by the FLRA. The only exemption permits states to exempt political jurisdictions with populations of less than 5,000 or fewer than 25 full time employees.

The legislation imposes an unfunded mandate on states and local jurisdictions and provides public safety employees wages and benefits different from their public sector peers, many of whom also perform important and unique duties. Additionally, the legislation preempts the authority of state and local governments over a segment of their workforce. As you may know, a significant number of Virginia's public safety personnel currently receive enhanced benefits. These current benefits have been granted by the Commonwealth and in some cases by local governing bodies without a federal mandate. In summary, the pending legislation is a solution in search of a problem.

VACo respectfully urges you to oppose the legislation. Thank you for your consideration of this important issue.

Sincerely,



Donald L. Hart, Jr.
President

CC: The VACo Board of Directors
James D. Campbell

