RESOLUTION NO.

2	WHEREAS, in 2004 the citizens of Austin adopted collective bargaining
3	for Austin Firefighters under the Fire and Police Employee Relations Act, Chapter
4	174 of the Texas Local Government Code; and
5	WHEREAS, the City has a long history of bargaining in good faith with its
6	employees and their labor organizations; and
7	WHEREAS, within the private sector, collective bargaining impasses are
8	resolved through strikes, lockouts, or binding interest arbitration; and
9	WHEREAS, strikes and other forms of work stoppage are prohibited by law
LO	for Texas public safety employees, as any disruption in the services provided by
l1	public safety employees poses a substantial risk to public safety and health; and
12	WHEREAS, the Fire and Police Employee Relations Act makes clear that
L3	with strikes and other forms of work stoppage prohibited, there must be reasonable
L4	alternatives for resolving collective bargaining impasses that are "expeditious,
15	effective, and binding"; and
L6	WHEREAS, binding interest arbitration is the only collective bargaining
L7	dispute resolution mechanism used in the private sector that is available for use by
L8	Texas public safety employees; and
19	WHEREAS, binding interest arbitration has been adopted and used
20	successfully in cities across the State of Texas as a fair and cost-effective way to
21	resolve differences between labor and management during negotiations with public
22	safety employees; and
23	WHEREAS, in 2021, the citizens of Austin voted by an 81%-19% margin
24	to adopt an amendment to the City Charter which allows either the City or the

- 25 Austin Firefighters Association to request binding interest arbitration by an
- impartial panel to settle an impasse regarding the negotiation of a collective
- bargaining agreement; and
- WHEREAS, that Charter amendment is consistent with the Fire and Police
- 29 Employee Relations Act and its mandate that alternatives to strikes be
- "expeditious, effective, and binding; and
- WHEREAS, the collective bargaining process with the Austin Firefighters
- Association is scheduled to begin in May 2022; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUCIL OF THE CITY OF AUSTIN:

- In the event that the City and the Austin Firefighters Association reach
- impasse in the upcoming collective bargaining negotiations and that binding
- interest arbitration is requested by either party, the City Manager is directed to
- proceed with the binding interest arbitration process as outlined in Article IX,
- 38 Section 7 of the City Charter.

BE IT FURTHER RESOLVED:

- The City Manager is directed to inform the City Council if there is an
- 41 impasse in negotiations and if binding interest arbitration is requested by either
- party in the upcoming collective bargaining negotiations.

BE IT FURTHER RESOLVED:

- While the above steps are expected to lead to an outcome to collective
- bargaining negotiations that all parties will accept and adopt, the above actions
- must be taken with whatever agreements are necessary to ensure that the City does
- 47 not waive any legal rights, claims, or defenses.

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49	BE IT FURTHER RESOLVED:
50	The City will participate in binding interest arbitration if the parties reach
51	impasse and will be bound by the arbitrators' decision unless the Charter
52	amendment is successfully challenged in Court by action brought by the City or
53	otherwise, and any City challenge in court requires the approval of Council.
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55	ADOPTED:, 2022 ATTEST:
56 57	Myrna Rios City Clerk
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