



Colorado Labor Council FRATERNAL ORDER OF POLICE®

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April 20, 2008

Dear Sheriff Taylor,

I have been provided with your response to the FOP's letter of April 2, 2008, in which the Pueblo FOP Lodge 7 leadership extended to you a request to meet and discuss their proposal to amend the County Code. Their expressed intent was to establish a more healthy and productive relationship between our organization and your office. They sought to alleviate any misconceptions you may have of collective bargaining, and work together with you to achieve reasonable resolution on key issues incorporated in their proposal. It is apparent from your response to their letter that you do not have a clear understanding of their organizational intent, or what law enforcement collective bargaining entails. There appears to be a misunderstanding by you of the collective bargaining process and how it relates to your office.

The draft amendment to the Pueblo County Code will grant collective bargaining rights to Pueblo sheriff's employees. It will stipulate and define traditional "Management Rights", and it will address specific items that are prohibitive subjects of bargaining. Collective bargaining is in no way fundamentally inconsistent with law enforcement as it relates to either a sheriff's office or a police department. Collective bargaining formalizes a fair and equitable system under which the employees have a legitimate voice in working conditions, allowing agreement to be reached on managing those needs within the resources allocated by the citizens. Collective bargaining addresses compensation, benefits, due process, and equal treatment in disciplinary matters. It does nothing else.

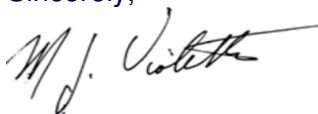
As you are well aware the Sheriff is charged by state law and the state constitution with making decisions that affect the public safety. It is my opinion and that of the General Counsel of the Fraternal Order of Police, both in Colorado and at the National Level, that sheriff's employees are not prohibited or restricted statutorily or constitutionally from collectively bargaining with their employer if that process is adopted by the government of the county or its citizens. Collective bargaining does not eliminate, nor in any way reduce your statutory authority as Sheriff to provide law enforcement and public safety services to the citizens of the county as intended by the Colorado Constitution. Neither the delivery of essential public safety services to the citizens of Pueblo County, nor the mission of the Sheriff's office, will be affected or determined by any negotiated agreement. Collective bargaining does not hamper, restrict, or interfere with the decision making of a Sheriff regarding matters that could affect the public safety. Those are solely the Sheriff's decisions and are not negotiated into, or determined by, a collective bargaining agreement.

There currently are ten law enforcement agencies in Colorado that collectively bargain with their employees. Across this country there are literally hundreds of sheriff's offices and police departments that do the same. In not one of those jurisdictions does the sheriff or chief law enforcement officer find his statutory or constitutional authority to make decisions regarding public safety hampered, shared, or in any way restricted. In each and every instance the chief law enforcement officer functions as charged providing services the citizens expect, while at the same time his employees have the right to negotiate wages and benefits. Pueblo County would be no different. The constitutional duty of the Sheriff and the employees' right to negotiate terms & conditions of employment are two entirely separate issues. Neither has any bearing on the other.

Experience teaches us that issues such as these can best be handled in a face to face meeting, and not through written correspondence. Your letter of April 3rd rejected formally recognizing the Fraternal Order of Police as the representative organization so chosen by the rank and file employees of your department. That was unfortunate. However, you did not respond to the FOP's request for a meeting on the broader subject. Being uncertain whether or not this was an oversight on your part, we repeat our offer to meet and discuss this matter. The request for a meeting by FOP Lodge 7's leadership was a sincere effort to afford you an opportunity to examine in detail what this proposed process entails. It was reasonable and responsible on their part to believe that you, as Sheriff, would welcome the opportunity for dialogue on this matter. As was explained in prior communications, the local lodge leadership has been mandated to move forth on this matter by their membership. They are the elected leadership and are bound to do so.

Therefore if your letter of April 3rd was your final position on this subject, and you have decided not to afford yourself an opportunity to listen to what this proposed process entails; then the Lodge leadership will continue their efforts to honor the mandate of their membership. I believe it is very important to the citizens of Pueblo County to have all interested parties involved in this process. On behalf of the Colorado Fraternal Order of Police I repeat the request of the FOP Pueblo Lodge 7 leadership to meet and confer with them on this matter.

Sincerely,



Michael J Violette
Executive Director
State Labor Council
Colorado Fraternal Order of Police

cc; FOP- National; State; CoFOP Labor Council
General Counsel- Osborne – CO FOP
General Counsel- Coviello- Nat FOP Labor Services
FOP Lodge Board- Mclallen Guagliardo; Salbato; Pannunzio; Kirchner
BOCC- Chostner; Cordova; Nunez
Dem- Thiebaut; Hart; McFadden
Labor- Pueblo Labor Council

