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## Pre-Rulemaking Meeting on County Collective Bargaining Act on January 12, 2023

1 message

**Eric Bergman** <ebergman@ccionline.org>

Wed, Jan 4, 2023 at 9:07 AM

To: Eric Bergman <ebergman@ccionline.org>

Cc: "brandonwilson@elpasoco.com" <brandonwilson@elpasoco.com>, Ryan Parsell <RyanParsell@elpasoco.com>

Good morning! As you are aware, collective bargaining by county employees is permitted beginning **July 1, 2023**, in counties with a population greater than 7,500. The Colorado Department of Labor and Employment (CDLE) will be holding an **ADDITIONAL** pre-rulemaking stakeholder meeting on **Thursday, January 12, at 2 p.m.** to discuss upcoming rulemaking on county collective bargaining. The first pre-rulemaking stakeholder hearing was held on the last day of the CCI Winter Conference, which prohibited many from attending. The invitation from CDLE (which includes a Google Meet link and scope of the rulemaking) is provided below.

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Good Afternoon,

The Division of Labor Standards and Statistics (DLSS) in the Colorado Department of Labor and Employment (CDLE) invites you to our upcoming continued conversations from our informal pre-rulemaking stakeholder meeting which was originally held on Wednesday, December 14, 2022, from 1:00 to 3:00 PM. A recording from that meeting can be directly

downloaded from our <https://cdle.colorado.gov/laborrules> webpage, please click the "**Proposed / Adopted Rules, Comments & Rulemaking Events Calendar**" dropdown, underneath the table you will find the heading "**Labor Peace Act and County Collective Bargaining Act: Informa, Pre-Rulemaking Stakeholder Meeting 12.14.2022**" where you can find a copy of the recording in the bullet point underneath.

Our new scheduled informal pre-rulemaking stakeholder meeting will be held **virtually** on **Thursday, January 12, 2023 beginning at 2:00 PM**, to continue discussion on the anticipated Division rulemaking described below.

**This is not a formal rulemaking hearing.** Before drafting any proposed rules, the Division typically invites a broad group of stakeholders to a pre-rulemaking meeting, like this one, to gather input, facts, and opinions. The Division also invites pre-rulemaking written comments (a link is below), which can be more detailed, as an alternative (or in addition) to verbal comments at this pre-rulemaking stakeholder meeting.

**Please share this invitation with any other stakeholders** you think may be interested in these rules. Or you can respond to this email to tell us about other persons you think should be invited.

This meeting will address:

1) New rulemaking to implement the "**Collective Bargaining by County Employees Act**," Senate Bill 22-230, under which, as of July 1, 2023, county employees and counties have certain rights and responsibilities related to union representation, collective bargaining, and other concerted activity. C.R.S. 8-3.3-106 requires the Division to adopt rules on:

- a) designating appropriate bargaining units under section 8-3.3-110;
- b) selecting, certifying, and decertifying exclusive representatives; and
- c) filing, hearing, and determining complaints of unfair labor practices under section 8-3.3-115.

2) Amendments to the "Rules of Procedure to the Colorado Labor Peace Act and Industrial Relations Act," **7 CCR 1101-1**. These rules were last amended years ago, before significant developments in labor-management relations law and practices. Most recently, 2021 amendments to the Labor Peace Act to include agricultural workers, which have required the Division to conduct representation elections, and adjudicate unfair labor practice complaints — responsibilities previously handled by the National Labor Relations Board for private sector employers.

With these expanded responsibilities, and Colorado's unique two-election process for a union to be certified and also execute union security clauses (all-union agreements), the Division is seeking stakeholder input on rule amendments to implement its responsibilities efficiently and effectively.

3) Consideration of **any other potential changes to labor-management relations rules that may be suggested or proposed**, based on stakeholder input or other developments that may warrant rule changes.

For additional information, please refer to the **INFOs** section of the Division's website.

The meeting will be held **virtually**, and will be recorded for our administrative rulemaking record. Below are instructions on how to participate virtually in the meeting scheduled for **January 12, 2023 at 2:00 PM**, and/or on how to submit written comments:

• **Join by video** at this Google Meet link: ([meet.google.com/sry-npzu-oym](https://meet.google.com/sry-npzu-oym)), or **join by phone** by calling this number: (+1 475-522-1038 PIN: 321 604 838#)

• **We encourage submitting written comments** at any time, including before or after this pre-rulemaking stakeholder meeting if you wish. **All written comments should be submitted through this form** (direct url: <https://forms.gle/LVHbdNgNqJc3C4fy9>).

If you have questions on how to participate or other meeting logistics, if you need accommodations, or if you have issues joining our virtually the day of the meeting: Please email Michael Primo, DLSS Director of Operations and Rulemaking Coordinator, at [michael.primo@state.co.us](mailto:michael.primo@state.co.us).

Thank you,

**Michael Primo**

**Director of Operations**

**He | Him | His**

**Division of Labor Standards and Statistics**



**COLORADO**  
Department of  
Labor and Employment

***We Keep Colorado Working***

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