

ORDINANCE NO. \_\_\_\_\_

**INCREASING COMMUNITY OVERSIGHT AND TRANSPARENCY TO ESTABLISH FAIR CONTRACT NEGOTIATIONS**

**WHEREAS**, a transparent government is a top priority for Whatcom County; and

**WHEREAS**, the open public meetings act (OPMA) was passed by citizen initiative in 1971; and

**WHEREAS**, the legislative declaration of the Open Public Meetings Act (RCW 42.30.010) states in part:

The people of this state do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.

**WHEREAS**, taxpayers have started a national and local movement with the desire to have fair and open contract negotiations; and

**WHEREAS**, both taxpayers and employees deserve to be informed how they are being represented during collective bargaining negotiations; and

**WHEREAS**, taxpayers seek to remove barriers to effective misconduct investigations and civilian oversight;

**WHEREAS**, the appearance of secret deal-making will be eliminated by allowing public oversight to collective bargaining negotiations; and

**WHEREAS**, the OPMA exempts collective bargaining negotiations (RCW 42.30.140), but does not compel such negotiations to be conducted secretly; and

**WHEREAS**, the OPMA does not prohibit local governments from conducting collective bargaining negotiations more transparently than required by state law;

**NOW, THEREFORE, BE IT ORDAINED** by the Whatcom County Council that from this day forward, Whatcom County shall conduct all collective bargaining contract negotiations in a manner that is viewable by the public in real time; either in person or on video; and

**BE IT FURTHER ORDAINED**, members of the public observing collective bargaining negotiations shall not be permitted to participate in or comment during the negotiations; and

**BE IT FURTHER ORDAINED**, Whatcom County shall provide public notice of all collective bargaining negotiations in accordance with the OPMA (RCW 42.30.060 – 42.30.080); and

1 **BE IT FURTHER ORDAINED**, Whatcom County shall post on its website, within two  
2 business days, copies of any bargaining proposals it provides to or receives from unions  
3 during collective bargaining negotiations; and  
4

5 **BE IT FURTHER ORDAINED**, Whatcom County bargaining representatives shall be  
6 permitted to meet privately to discuss negotiation strategy, goals, and methods, and shall  
7 be permitted to meet privately with union representatives if solely discussing issues  
8 pertaining to specific Whatcom County personnel; and  
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10 **BE IT FURTHER ORDAINED**, this Ordinance does not apply to meetings related to  
11 any activity conducted pursuant to the enforcement of a collective bargaining agreement  
12 after it has been negotiated and executed, including, but not limited to, grievance  
13 proceedings, and  
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15 **BE IT FINALLY ORDAINED**, that Whatcom County send a copy of this resolution to  
16 the County Executive, to all employees, to all union representatives, and all other deemed  
17 appropriate County Officials.  
18

19 **ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2020.  
20

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22  
23 ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

24  
25  
26 \_\_\_\_\_  
Dana Brown-Davis, Clerk of the Council

\_\_\_\_\_  
(Current Chair's Name), Council Chair

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28  
29 WHATCOM COUNTY EXECUTIVE  
30 APPROVED AS TO FORM:

WHATCOM COUNTY, WASHINGTON

31  
32 \_\_\_\_\_  
33  
34 Civil Deputy Prosecutor

\_\_\_\_\_  
(Current Executive's Name),  
County Executive

( ) Approved ( ) Denied

Date Signed: \_\_\_\_\_  
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