

# STATE OF COLORADO

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Bill Ritter, Jr.  
Governor

June 4, 2009

Honorable Colorado Senate  
67th General Assembly  
First Regular Session  
State Capitol  
Denver, CO 80203

Ladies and Gentlemen,

I am filing with the Secretary of State Senate Bill 09-180, "Concerning collective bargaining by employees of public safety agencies." I vetoed this bill as of 2:39 p.m. today, and this letter sets forth my reasons for doing so.

Senate Bill 09-180 would mandate home-rule municipalities, fire authorities, county improvement districts, and special districts that provide fire protection services to collectively bargain with firefighters in fire departments with fifty or more firefighters. The union would have the authority to act as the exclusive representative of firefighters and to collectively bargain over the terms and conditions of their employment and to address grievances.

I join all Coloradans who honor and value the dangerous work of firefighters in our communities. Firefighters have stood with me, and I have stood with them, including yesterday in Montrose when I signed three bills to help volunteer and wildland firefighters; last year when I fought hard to defeat the right-to-work and other harmful initiatives; and in 2007 when I signed legislation, over the strong objection of local government and others, expanding eligibility for workers compensation coverage for firefighters suffering from cancer.

As the son of a union member, and a union member myself in earlier years, I have long believed that collective bargaining can create a positive working relationship for public sector employees and local governments. But there are other issues I had to consider when deliberating on this bill, issues that led me to the difficult conclusion that a veto of this bill was in the best interests of the people of Colorado.

First, there is already a process for firefighters to obtain collective bargaining rights--they may ask the voters in the communities that they serve for the opportunity to engage in collective bargaining. This process works and has led to successful collective bargaining agreements for firefighters in many of our communities, including Denver, Aurora, Thornton, Pueblo, Greeley, Longmont, and Englewood.

Second, this bill would overturn the will of the voters in communities that have voted not to give firefighters collective bargaining rights. On several occasions the voters of Colorado cities have rejected the option of collectively bargaining with their cities' employees. This bill would effectively and inappropriately override these local votes.

Third, the debate on this bill raised important issues about firefighter safety, but there are better ways to address these issues than mandatory collective bargaining in certain communities. We must address firefighter safety at the state level. Doing so ensures that all areas of Colorado can benefit. Under this bill, however, the safety issues would only be addressed in the jurisdictions required to engage in collective bargaining, which would unfairly limit the scope of the needed reforms to protect firefighter safety. I have heard from Colorado fire chiefs who have urged me to veto this bill since it would not create a statewide standard for firefighter safety. In order to address firefighter safety statewide, I am ordering the Executive Director of the Department of Public Safety and the Director of the Division of Fire Safety to work with the Colorado Professional Firefighters, the Colorado State Fire Chief's Association, the Colorado Municipal League, the Special District Association, Colorado Counties, Inc., and other stakeholders to develop a statewide fire department safety certification program. There are national safety standards and safety assessment tools available to aid in determining which fire departments are adequately protecting firefighters' safety and which ones must improve. Such a program can--and in light of limited state and local resources, must--be developed within existing resources. This group of public officials and stakeholders should also determine whether legislation mandating certification is necessary and warranted, and, if so, work together to craft legislation for introduction during the 2010 legislative session.

While the safety concerns that were highlighted during the course of the debate over Senate Bill 09-180 must be addressed, changing our current system of local voter approval of collective bargaining and overriding the will of the voters who have rejected collective bargaining is not the appropriate solution. Accordingly, I have vetoed this bill.

Sincerely,

Bill Ritter, Jr.  
Governor