

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE DRH45022-LR-94 (04/02)

Short Title: Public Safety Officers' Right to Organize. (Public)

Sponsors: Representative Ross.

Referred to:

A BILL TO BE ENTITLED

AN ACT AMENDING THE LABOR LAWS OF NORTH CAROLINA TO ALLOW
PUBLIC SAFETY OFFICERS EMPLOYED BY THE STATE OR ITS
POLITICAL SUBDIVISIONS TO ORGANIZE FOR THE PURPOSE OF
COLLECTIVE BARGAINING.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 95-98 reads as rewritten:

**"§ 95-98. Contracts between units of government and labor unions, trade unions
or labor organizations concerning public employees declared to be
~~illegal~~illegal; exception.**

(a) Any General Prohibition. – Except as provided by subsection (b) of this section, any agreement, or contract, between the governing authority of any city, town, county, or other municipality, or between any agency, unit, or instrumentality thereof, or between any agency, instrumentality, or institution of the State of North Carolina, and any labor union, trade union, or labor organization, as bargaining agent for any public employees of such city, town, county or other municipality, or agency or instrumentality of government, is hereby declared to be against the public policy of the State, illegal, unlawful, void and of no effect.

(b) Exception. – An agreement, or contract, between the governing authority of any city, town, county, or other municipality, or between any agency, unit, or instrumentality thereof, or between any agency, instrumentality, or institution of the State of North Carolina, and any labor organization representing public safety officers as bargaining agent is lawful, valid, and not against the public policy of this State.

(c) The following definitions apply in this section:

(1) Labor organization. – An organization composed in whole or in part of employees, in which employees participate, and which represents the

1 employees before public safety agencies concerning grievances,
2 conditions of employment, and related matters.

3 (2) Public safety officer. – An employee of a public safety agency who is
4 a law enforcement officer, a firefighter, or emergency medical services
5 personnel. The term does not include supervisory personnel."

6 **SECTION 2.** This act is effective when it becomes law.