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Minneapolis



Regional Labor Federation

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David Herberholz, Director
Division of Solid Waste and Recycling
309 2nd Avenue South, Room 210
Minneapolis, MN 55401

Dear Mr. Herberholz:

These are the comments of the Minneapolis Regional Labor Federation (MRLF) regarding the Organized Solid Waste Collection Plan under consideration by the City of Minneapolis. The City should continue to include the existing labor peace language in any requests for proposals or contracts for solid waste collection and in the Organized Solid Waste Collection Plan. Labor peace has successfully prevented work stoppages due to labor disputes. The City should keep doing what works.

The applicable statute on Organized Collection provides for the City to evaluate the proposed organized collection method in light of at least the following general standards: "achieving the stated organized collection goals of the city or town, minimizing displacement of collectors, ensuring participation of all interested parties in the decision-making process, and maximizing efficiency in solid-waste collection." Minn. Stat. § 115A.94, Subd. 4(e)(2). A labor peace requirement is a proven method of maximizing efficiency in solid waste collection by protecting the City's proprietary interest in the uninterrupted performance of solid waste collection services.

Labor peace language specifically prohibits work stoppages, such as picketing or strikes, and it requires submission of labor disputes to binding arbitration to prevent disruption of services. As noted in recent meetings regarding the City's organized collection system, the possibility of work stoppages in solid waste collection is a serious concern. Work stoppages in waste collection pose a threat to public health and safety. Accumulating waste would cause foul odors, would be unsightly, would attract vermin, and could even increase the risks of communicable disease. Uncollected trash would have a negative impact on the appearance of the City and its appeal as a desirable place to live, work, and visit.

Additionally, work stoppages would present a financial challenge to the City. The City would have to find an alternative means of collection very quickly or risk the significant accumulation of uncollected trash. It may be difficult for the City to find a cost-effective replacement on short notice, and the City may incur considerable costs in the process.

As you know, the City of Minneapolis adopted a resolution (2007R-454) requiring review of Requests for Proposals and service contracts to determine whether labor peace language is appropriate. The City's Labor Peace Resolution lists such relevant factors as: "the dollar value of the contract, the duration of the contract, the adverse financial or economic impact of any disruption of services, whether or not City owned property is involved, and any other relevant factors." Clearly, the dollar figure for the organized collection contract has previously and will continue to exceed the resolution's threshold for review of \$250,000. Moreover, the previous organized collection contracts have been five-year contracts, which is a significant time commitment by the City, and the current contract appears likely to be of similar duration. Additionally, as explained above the adverse financial and other negative impacts on the City of a disruption of solid waste collection services are likely to be significant. Accordingly, the standards set forth in the Labor Peace Resolution call for continued inclusion of the labor peace language in the Organized Solid Waste Collection Plan.

Labor peace language has been included in the existing contract for organized collection, and it has ensured that the City has not experienced any interruptions in service due to work stoppages. Notably, no public proposal has yet emerged as a credible alternative to labor peace that would ensure the prevention of work stoppages. A labor peace requirement is a proven, effective tool to ensure that quality service continues without risking work stoppages. We urge the City of Minneapolis to continue including a labor peace requirement in its requests for proposals, contracts, and Plan for solid waste collection.

Thank you for your attention to this matter.

Sincerely,



William McCarthy

President

CC: Heidi Hamilton, Deputy Director, Minneapolis Public Works
Minneapolis City Councilmembers
Minneapolis Mayor R.T. Rybak
William Moore, Trustee, Teamsters Local 120
Joe Dwyer, Trustee, Teamsters Local 120