

RESOLUTION OF THE CITY COUNCIL

No. 472

Effective ~~XXXXXX~~ October 13, 1992

Whereas, Section 17-27 of the Code of Ordinances provides that no Collective Bargaining Agreement shall become effective unless and until it is ratified by the City Council, and

Whereas, the City Council Approved Collective Bargaining Agreements and/or extensions with Council 94 AFSCME AFL-CIO, Local 1339 Providence School Clerical Employees, and the Providence Teachers Union AFT Local 958 respectively, by its approval of Resolutions Number 226, 227, and 228 on May 13, 1992,

Whereas, the City Council Approved Collective Bargaining Agreements with the International Association of Firefighters Local 799 by its approval of Resolution Number 267, Approved June 11, 1990; Number 234, Approved April 28, 1988; Number 373 Approved June 14, 1985; and Number 607 Approved November 15, 1984; and Number 520 Approved September 10 1982; and

Whereas, the City Council Approved Collective Bargaining Agreements with the Public Service Employees Local Union 1033 of the Laborers International Union by its approvals of Resolution Number 225, approved May 13 1992; Number 298 Approved June 16, 1989; Number 559 Approved September 10, 1987; Number 499 Approved September 13, 1985; and Number 575 approved October 15, 1982; and

Whereas, the City Council Approved Collective Bargaining Agreements with Lodge Number 3 of the Fraternal Order of Police by its approvals of Resolution Number 224 Approved May 13, 1992; Number 589 Approved December 11, 1989; Number 101 approved February 25, 1988; Number 449 approved August 9, 1985; Number 675 approved December 26, 1984; Number 639 Approved November 24, 1982; and Number 650 approved November 12, 1981; and,

Whereas, in spite of these ordinance provisions and past practices, disagreements have arisen regarding the City Council's authority to approve Collective Bargaining Agreements, and

Whereas, Resolution number 65 effective February 12, 1990 and number 138 Approved April 6, 1990, City Council Approved the hiring of the Law Firm of Blish and Cavanaugh to represent the city in litigation regarding the Retirement System known as the City of Providence et al v. the Employee Retirement Board et al C.A. NO. 90-2119, and

Whereas, on December 18 1991, without the approval of the City Council, a Consent Decree was entered in to regarding this aforementioned case, and

Whereas, various opinions, formal and informal, have been advanced regarding these matters, and

Whereas, The best interest of the all parties involved, and the efficient conduct of City Government would be served by a formal resolution of these disputes,

Now therefore, Be it Resolved, that Attorneys be engaged under the provisions of Section 401 (d) of the Providence Home Rule Charter, to request a Declaration of Rights, Status, or legal relations under these contracts, ordinances, state statutes, or applicable case law under the Uniform Declaratory Judgment Act of Rhode Island or any other applicable Acts, and to take such other legal actions as may be necessary to obtain clarifications of these matters.

Effective without the Mayor's
signature:


Michael R. Clement, City Clerk

