



**NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.**

*Representing America's Finest*

**U. S. HOUSE OF REPRESENTATIVES  
COMMITTEE ON EDUCATION AND LABOR  
*Subcommittee on Health, Employment, Labor, and Pensions***

**Statement of  
William J. Johnson on behalf of the  
National Association of Police Organizations  
317 S. Patrick Street, Alexandria, Virginia 22314**

***"Standing with Public Servants: Protecting the Right to Organize."  
June 26, 2019***

Chairwoman Wilson, Ranking Member Walberg and distinguished members of the Subcommittee, my name is William Johnson and I am the Executive Director of the National Association of Police Organizations (NAPO). I am submitting this statement today on behalf of NAPO, representing over 241,000 rank-and-file law enforcement officers throughout the United States. NAPO is a coalition of police unions and associations from across the nation, which was organized for the purpose of advancing the interests of America's law enforcement officers through legislative advocacy, political action and education.

Congress has long recognized the benefits of a cooperative working relationship between labor and management. Over the years, Congress has extended collective bargaining rights to public employees including letter carriers, postal clerks, public transit employees, and even Congressional employees. However, under current federal and state laws, some public safety employees, including law enforcement, corrections, and fire, are denied the basic rights of collective bargaining. Law enforcement officers put their lives on the line every day to preserve the security and peace that our nation enjoys. It is wrong that many of these same officers are denied the basic American rights of collective bargaining for wages, hours, and safe working conditions.

While many public safety agencies have benefited from a productive partnership between employers and employees, other agencies have not. Currently, many states do not have a legal framework for public safety officers to bargain with their employers, and two states – Virginia and North Carolina – prohibit it altogether. History shows that denying workers the right to bargain collectively causes poor morale, the waste of resources, unfair and inadequate working conditions, and low productivity. Ultimately, it is the public's safety and security that is jeopardized by such poor working conditions for police.

On June 5, 2007, Paul Nunziato, a Police Officer with the Port Authority of New York and New Jersey Police Department, and then-Vice President of the Port Authority Police Benevolent Association (PBA), testified before this Subcommittee on this very legislation. Officer Nunziato, now President of the PBA, spoke of the crucial role collective bargaining rights play in protecting the health and welfare of public safety officers and their families, particularly after the September 11, 2001 terrorist attacks. Twelve years after his testimony, and eighteen years after 9/11, his testimony still rings true:

On September 11, 2001 the World Trade Center, the headquarters of the Port Authority of New York and New Jersey and worldwide symbol of New York and America, was

attacked.

Only 10 Port Authority police officers were working at the World Trade Center police command at the time of the terrorist attacks on September 11<sup>th</sup>. Within minutes of the attacks, police officers from throughout our job mobilized from all thirteen police commands to respond to the attacks. I myself responded from home and was mobilized from my command, PATH, a subway system running between New York and New Jersey. Of the 23 members of my roll call at the PATH police command that day, **10** came home. The Port Authority Police Department suffered the worst single day loss of life of any law enforcement agency in the history of the United States. Despite the tremendous risks, I can definitively state that no Port Authority police officer refused an order to respond to the World Trade Center or to enter the towers on September 11<sup>th</sup>.

Unfortunately, I have direct knowledge that our collective bargaining agreement provides security to our members and their families. My partner, Donald McIntyre, was one of 37 members of my police department who lost their lives in the World Trade Center evacuation effort. Donnie was married with two young children; his wife, Jeannine, was pregnant with a third child. Nothing could make up for the loss of Donnie to his family and that void will never be filled. But as a Vice-President of my union, it pleases me to see that Jeannine does not have to worry about paying bills or providing healthcare for her children due in large part to the benefits my union has negotiated for our membership.

I also want to take this opportunity to address members of this Committee and the Congress who believe that granting collective negotiation rights to police officers represents a danger to national security. The vast majority of the then 1,000 police officers in my agency worked steady 8-hour tours on a 4 day on 2 day off schedule. We had up to 6 weeks of vacation and additional personal leave time. By the end of the day on September 11<sup>th</sup>, the Port Authority Police Department switched everyone in the Department to 12-hour tours, 7 days a week. Vacations and personal leave time were cancelled. My union did not file any grievances regarding these changes. Everyone recognized that this was a crisis and that emergency measures needed to be resorted to. Our schedule did not return to normal for nearly 3 years. The bottom line is that, even in states with long and strong histories of collective negotiation rights for public safety personnel, management retains discretion to respond to emergencies and potential security risks without negotiation with employees.

As the health risks associated with exposure to the World Trade Center site following 9-11 become more manifest, I am protected by my union's efforts to ensure that workers in the rescue and recovery effort are properly monitored and treated for exposure related diseases that do occur. Employers cannot be permitted to act unchecked because they do not place workers' interests first. For example, the City of New York repeatedly has denied that any of its police officers, firefighters, EMS personnel or other city workers were sickened by exposure to the World Trade Center site. My own agency has resisted classifying legitimate exposure diseases as injuries in the line of duty. I was exposed that day and continued to be exposed for more than a thousand hours in the months afterward as part of the Ground Zero recovery effort.

As Officer Nunziato points out, unions play a large role in officer wellness. It is public safety unions leading the charge to permanently reauthorize the September 11<sup>th</sup> Victim Compensation Fund, knowing

the importance of the VCF to the wellbeing of officers and their families. Public safety unions are fighting to ensure PTSD is covered under state workers' compensation plans, understanding the stresses and strain of the job, particularly after a mass-casualty incident. Some unions are not only providing peer mentoring to their members, but they also offer officers peace of mind that someone will take care of them or their families if, God forbid, they are injured or killed in the line of duty. It is vital that every officer across the country is given this right to form and join a union, not only for these essential benefits, but also for ensuring they have a say in their wages, hours and working conditions.

The Public Safety Employer-Employee Cooperation Act (H.R. 1154 / S.1394) would do this by guaranteeing that law enforcement officers, firefighters, and emergency medical service workers in all 50 states have the right to discuss workplace issues with their employers. It will provide a framework for such discussions, while respecting the right and flexibility of states to write their own laws for public safety workers. This legislation will not overturn current collective bargaining laws – it will only provide the basic right of collective bargaining over wages, hours, and working conditions to those who currently do not have them.

It is time for the Congress to step up to the plate and act in a comprehensive fashion to assure collective bargaining in states which do not have it. Law enforcement officers in this country are working in an increasingly difficult environment, facing rising violence and acrimony against the profession and responding to too many active shooter and mass casualty events. This legislation would allow law enforcement officers to have a say in their own working conditions to better serve and protect their families and the public. Most importantly, it will allow public safety officers to secure the necessary protections that will permit them to walk unselfishly into the line of fire to save the lives of our fellow citizens.

The public safety is best protected through effective partnerships between first responders on the front lines and the agencies that employ them. This legislation will ensure that public safety officers can meet with local officials to discuss how they do their jobs and how best to protect the public.

Thank you for your time and consideration of this important issue.