

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE URGING THE CITY TO WORK WITH PUBLIC SECTOR UNIONS IN SAN JOSE TO ENSURE THEIR HEALTH AND SUCCESS, AND TO SUPPORT THE FREEDOM OF CITY EMPLOYEES TO PARTICIPATE IN UNIONS FOLLOWING THE SUPREME COURT OF THE UNITED STATES DECISION IN JANUS V. AFSCME**

**WHEREAS**, on June 27, 2018, the Supreme Court of the United States issued its decision in *Mark Janus v. American Federation of State, County, and Municipal Employees* (“Janus v. AFSCME”) and held that the collection of agency fees by public employee unions violates the First Amendment and is therefore unconstitutional; and

**WHEREAS**, the City of San José (“City”) stopped collecting agency fees from non-member employees following the Supreme Court’s decision; and

**WHEREAS**, the City Council desires to continue to support City employees and their freedom in exercising their rights to participate in unions, and to work with public sector unions to ensure their health and success for the betterment of City employees and to maintain a qualified and competitive workforce for the City;

**NOW, THEREFORE**, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

The City of San José is urged to work with public sector unions in San José to ensure their health and success, and to support the freedom of City employees to participate in unions, consistent with federal and state laws, following the Supreme Court of the United States’ decision in Janus v. AFSCME.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2018, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

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SAM LICCARDO  
Mayor

ATTEST:

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TONI J. TABER, CMC  
City Clerk