

Bond Case Briefs

Municipal Finance Law Since 1971

LABOR - INDIANA

Local 1963 of United Auto., Aerospace, Agricultural Implement Workers of America, UAW v. Madison County

Court of Appeals of Indiana - December 18, 2013 - N.E.2d - 2013 WL 6657355

On January 1, 2009, the County, through the Commissioners and Council, entered into a Collective Bargaining Agreement (CBA) with UAW.

In November of 2010, the voters of Madison County elected a new Assessor and a new Recorder (the "Officials"), both of whom fired a number of their deputies who were UAW members covered by the CBA.

On June 27, 2011, UAW filed a complaint, alleging the County had breached the CBA. UAW sought an injunction for the reinstatement of two deputy assessors and further sought recognition from the County that UAW is the exclusive bargaining representative for the Officials' deputies.

On April 16, 2012, the officials moved for summary judgment, contending the Commissioners and Council lacked the "authority to unilaterally bind non-consenting, independently elected officials" to the CBA, which "restricted the elected officials in their appointment, removal and supervision of deputies and employees."

The trial court entered summary judgment in favor of the County and the UAW appealed.

The Court of Appeals concluded that the trial court properly issued summary judgment for the County because, as a matter of law, the Commissioners and Council had no authority to execute a CBA interfering with the independence of the Officials in appointing and discharging their deputies and employees.