KENTUCKY FIRE FIGHTERS

FIRST AMENDMENT FACT SHEET

Public-sector employees have a right to organize and form a union that is protected by the First Amendment of the U.S. Constitution. The constitutionally protected freedoms of speech and association exist regardless of whether a state has a public sector bargaining law.

The First Amendment protects speech related to union organizing activity, which is generally treated as a matter of public concern. This freedom of speech includes the right to discuss and inform others about the advantages and disadvantages of joining a union and extends to unions, their members, and organizers.

Other matters of public concern include:

- Staffing
- Response times, government inefficiency and waste, and inadequate funding for emergency services
- Failure to follow health and safety rules (e.g., unsafe working conditions, or environmental violations)
- Equipment malfunctions
- Discriminatory policies
- The right to organize

Fire fighters generally cannot be disciplined in retaliation for protected speech when they are speaking as private citizens, not as part of their official duties, and the speech relates to a matter of public concern.

The First Amendment protects the freedoms of speech and association regardless of whether a state has a public-sector bargaining law, is a right-to-work state, or classifies employees as at-will.

STATE STATUTE

Employees' right to organize for the purpose of collective bargaining. (1) Fire fighters of a city of the first class shall have, and shall be protected in the exercise of, the right of self-organization, to form, join, or assist any labor organization, to bargain collectively through representatives of their own choosing on questions of wages, hours, and other conditions of employment free from interference, restraint, or coercion.

IAFF GUARDIAN POLICY

The IAFF Legal Guardian Policy is designed to provide legal representation through the General Counsel's Office for union leaders who have been disciplined or discriminated against because of their union activities, including:

- Organizing, leading, or supporting an IAFF affiliate
- Participating in union affairs
- Participating in affiliate-supported political activity
- Participating in affiliate-supported legal claims
- Speaking up on matters of public concern affecting the IAFF, an affiliate, or its members

To request assistance under the Legal Guardian Policy, affiliate leaders must complete an application and send it to the affiliate's District Vice President (Kentucky: 8th DVP Mark Sanders) for submission to the General President. The Legal Guardian Policy and application are available on IAFF.org.



Members of Maysville, KY Local 3530 receive their IAFF Charter.

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