

1978 WL 35136 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

September 27, 1978

***1 RE: Right of Municipalities to Enter Into Collective Bargaining Agreements with Public Employees**

C. W. F. Spencer, Jr., Esquire
Rock Hill City Attorney
Spencer and Spencer, P.A.
Post Office Box 790 C.S.S.
Rock Hill, South Carolina 29730

Dear Mr. Spencer:

Your letter of September 19, 1978, requested an opinion from this Office in regard to the right of municipalities to enter into collective bargaining agreements with public employees. I am enclosing several previous opinions from this Office which address this issue.

These opinions, along with the Charleston Circuit Court case of Medical College of South Carolina v. Drug and Hospital Union Local 1199, et al., decided by the Honorable Clarence E. Singletary on July 9, 1969, stand for the proposition that a subdivision of the State, such as a municipality, has neither the right nor the obligation to enter into a collective bargaining agreement with public employees. It is the opinion of this Office that no legislation enacted during the 1978 Session of the General Assembly has changed this situation.

It is therefore the opinion of this Office that the City of Rock Hill cannot enter into a collective bargaining agreement with its public employees.

Very truly yours,

Keith M. Babcock
State Attorney

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