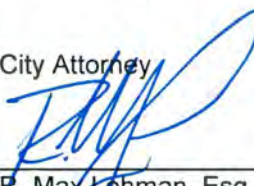

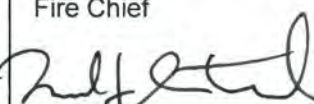
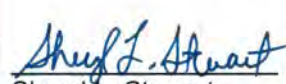
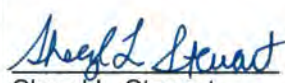



CITY OF PALM BEACH GARDENS CITY COUNCIL
Agenda Cover Memorandum

Meeting Date: January 7, 2016
Resolution 6, 2016

Subject/Agenda Item: Approving and ratifying a collective bargaining agreement between the City and the Professional Firefighters and Paramedics of Palm Beach County, Local 2928, IAFF, Inc., for Fiscal Years 2015-2016, 2016-2017, and 2017-2018.

☒ **Recommendation to APPROVE**
☐ **Recommendation to DENY**

Reviewed by: City Attorney  R. Max Lohman, Esq. Finance Administrator  Allan Owens Fire Chief  Michael F. Southard	Originating Dept.: Human Resources  Sheryl L. Stewart HR Administrator Advertised: NA Date: Paper: <input checked="" type="checkbox"/> Not Required	Costs: \$1,861,619.02 (3- Year Total) \$ 817,631 Current FY Funding Source: <input checked="" type="checkbox"/> Operating <input type="checkbox"/> Other Contract/Agreement: Effective Date: <u>October 1, 2015</u> Expiration Date: <u>September 30, 2018</u> Budget Acct. #:	Council Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/ Conditions <input type="checkbox"/> Denied <input type="checkbox"/> Continued to: Attachments: <ul style="list-style-type: none"> • Resolution 6, 2016 Exhibit "A" – IAFF Collective Bargaining Agreement Exhibit "B" - IAFF Memorandum Of Understanding Regarding the Creation of the Positions of Battalion Chief, District Captain, Captain, and Rescue Lieutenant • Letter from IAFF
Submitted by: Department Director  Sheryl L. Stewart	Affected parties <input type="checkbox"/> Notified <input checked="" type="checkbox"/> Not required		
Approved by: City Manager  Ronald M. Ferris			

The City's negotiating team met with representatives of the Professional Firefighters/Paramedics of Palm Beach County Local 2928, IAFF, Inc. (IAFF) Union during the months of April through October 2015 to negotiate a new Collective Bargaining Agreement effective October 1, 2015. By the conclusion of the collective bargaining session on August 21, 2015, the City's team and the IAFF reached an impasse which was resolved and a tentative agreement was reached on October 14, 2015, including all the Articles in the existing contract and issues related to the creation of new officer position titles. Staff has been informed that members of the IAFF voted in favor of ratification of both the Collective Bargaining Agreement and the Memorandum of Understanding regarding the new positions on November 30 and December 1, 2015, which is now before Council for approval. The following key operational and financial issues negotiated as Article changes are highlighted below:

Recognition (Article 2): Establishes new titles for officer positions. Rescue Lieutenants, those currently assigned as lead medics who supervise and train medic crews, will be added as a new classification in the bargaining unit. Lieutenants who are in charge of fire station operations will be re-titled to Captain. Captains who are in charge of an entire shift (all fire stations) will be re-titled to Battalion Chief. Captains who are in charge of all Emergency Medical Service (EMS) functions and personnel performing EMS on an assigned shift will be re-titled to District Captain. As a result, these positions will be more clearly identified and recognized for performing the same functions as those in other comparable fire rescue departments in Palm Beach County.

Staffing (Article 10): The proposed language addresses safety and liability concerns by requiring employees to be on the current promotional list in order to be able to step up to work in a higher classification. This will ensure such employees are not only qualified but have also passed the promotions tests to perform the position to which they are being temporarily assigned. In addition, proposed language provides management the ability to utilize any employee receiving medic pay as a Fire Medic regardless of their current rank or position, and provides employees greater opportunity to maintain their paramedic skills through experience on the job, eliminating the need for ride time. Once Rescue Lieutenant positions have been filled, lead medic assignment pay will no longer be utilized. Lead medics are those most trained and skilled to be in charge of patient care decisions on a rescue unit.

Promotions (Article 18): Because nearly 80% of the City's fire rescue service is paramedical, proposed language will require supervisors to be protocol-released medics and possess the current qualifications of the positions they would be responsible to supervise. This Article also specifies the qualifications that would be required in order to be eligible to apply for a promotion to the newly titled positions of Rescue Lieutenant, Captain (station), District Captain (EMS), and Battalion Chief.

Overtime (Article 19): Provides for one way to distribute overtime - by the position that created the overtime, to employees who are of equal position first, and then to employees who are on the current promotional list.

Disability Leave (Article 22): Provides the same policy non-job related illness or injury as all other City employees (PBA, SEIU, and Non-Union), which is up to 26 weeks' of paid disability leave within a one- (1) year period, reduced from two (2) years.

Personal Leave (Article 26): Limits employees to no more than 13 shifts off per calendar year, and no more than five (5) consecutive shifts off, which include any combination of Shift Exchange, Kelly Days, and Personal Leave. This modification, coupled with the changes in policy on Exchange of Time, will address management's goal of having employees at work more often, training and spending time with their crews, providing greater continuity of shift supervision, as well as curtailing attendance problems.

Exchange of Time (Article 41): As referenced above, changes in this Article will hold employees more accountable for their time at work and address patterns of excessive absenteeism/abuse of time off work, primarily by limiting the amount of shift exchanges to one (1) per month. Originally, shift exchanges were intended to help firefighters have more time for training and education. However, shift exchanges have led to employees missing important training at work, causing unnecessary overtime costs, and disrupting operations when supervisors are not working as a team with their regularly assigned crews.

Salaries (Article 38): Maintains market competitiveness by adjusting bargaining unit pay ranges and job titles to align the City's positions and salaries to be within the top three (3) comparator fire rescue departments in Palm Beach County, based on the most current contracts. Addresses compression and equalizes pay spread among employees by placing bargaining unit members in a new negotiated salary plan, which will provide them with salary adjustments based upon their total years of service with the City. In addition, all employees will receive a 2.5% increase to base salary effective October 1st each year of the contract: 2015, 2016, and 2017. Paramedic certification pay rates will also be increased to align with comparable departments. Certified paramedics assigned to fire engines (Driver Engineers, Captains, and Battalion Chiefs) will receive an increase in certification pay from \$5,500 to \$7,500 annually in addition to their base salary. Certified paramedics assigned to rescue trucks (Fire Medics and Rescue Lieutenants) will receive an increase in certification pay from \$7,500 to \$10,000 annually in addition to their base salary. District Captains (EMS supervisors) will receive an increase in certification pay from \$5,500 to \$10,000. The proposed new salary plan will cost a total of approximately \$1,861,619 over the three- (3) year contract.

Duration (Article 49): Proposed three- (3) year contract will be effective October 1, 2015, through September 30, 2018.

CONCLUSION: As a result of these negotiations, the foregoing contract provisions will address salary as well as staffing-related concerns by fixing compression, reducing shift exchanges, and having employees and supervisors here working together as a team, receiving training, keeping up with their skills, and performing their jobs. The updated organizational structure, salaries, and paramedic certifications will mirror top departments in Palm Beach County, and continue to ensure the highest quality of care for the community.

STAFF RECOMMENDATION: Staff recommends approval of Resolution 6, 2016 as presented.



Professional Firefighters/Paramedics of Palm Beach County, Inc. IAFF Local 2928

2328 South Congress Avenue • Suite 2-C
West Palm Beach, FL 33406-7674
561-969-0729 • Fax: 561-969-1059 • www.IAFF2928.com

December 2, 2015

Mr. Ron Ferris
City Manager
10500 N Military Trail
Palm Beach Gardens, 33410

Dear Mr. Ferris:

I am writing this letter to inform you that the 2015-2018 Collective Bargaining Agreement, between Local 2928 and the City of Palm Beach Gardens was voted on during two meetings held Monday November 30, and Tuesday December 1, 2015, passed and; therefore, was ratified.

If you should need any additional information regarding this ratification vote, please do not hesitate to contact me.

Sincerely,

Joel Brier
2nd Executive Vice President

Cc: Chief M. Southard
R. Swan
M. Floyd

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RESOLUTION 6, 2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA APPROVING AND RATIFYING A COLLECTIVE BARGAINING AGREEMENT AND TWO MEMORANDUMS OF UNDERSTANDING WITH THE PROFESSIONAL FIREFIGHTERS AND PARAMEDICS OF PALM BEACH COUNTY, LOCAL 2928, IAFF, INC. EMPLOYED BY THE CITY FOR FISCAL YEARS 2015-2016, 2016-2017, AND 2017-2018; AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City's Negotiating Team and the Professional Firefighters and Paramedics of Palm Beach County, Local 2928, IAFF, Inc. have reached agreement regarding the collective bargaining agreement by the City of Palm Beach Gardens Fire Rescue Department for Fiscal Years 2015-2016, 2016-2017, and 2017-2018; and

WHEREAS, the members of the bargaining unit subject to the collective bargaining agreement have voted in favor of ratification, which agreement is attached hereto as Exhibit "A"; and

WHEREAS, the City's Negotiating Team and the Professional Firefighters and Paramedics of Palm Beach County, Local 2928, IAFF, Inc. have reached agreement regarding two Memorandums of Understanding dated November 6, 2015, and December 15, 2015; and

WHEREAS, such Memorandums of Understanding have been prepared and are attached hereto as Composite Exhibit "B"; and

WHEREAS, the City Council deems approval of this Resolution to be in the best interest of the health, safety, and welfare of the residents and citizens of the City of Palm Beach Gardens and the public at large.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA that:

SECTION 1. The foregoing recitals are hereby affirmed and ratified.

1 **SECTION 2.** The City Council of the City of Palm Beach Gardens hereby
2 approves and ratifies two Memorandums of Understanding dated November 6, 2015,
3 and December 15, 2015, between the City and the Professional Firefighters and
4 Paramedics of Palm Beach County, Local 2928, IAFF, Inc. employed by the City for
5 Fiscal Years 2015-2016, 2016-2017, and 2017-2018, attached hereto as Composite
6 Exhibit "B".
7

8 **SECTION 3.** The City Council of the City of Palm Beach Gardens hereby
9 approves and ratifies the collective bargaining agreement between the City and the
10 Professional Firefighters and Paramedics of Palm Beach County, Local 2928, IAFF, Inc.
11 employed by the City for Fiscal Years 2015-2016, 2016-2017, and 2017-2018, attached
12 hereto as Exhibit "A", and authorizes the Mayor to execute said agreement on behalf of
13 the City.
14

15 **SECTION 4.** This Resolution shall become effective immediately upon adoption.
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PASSED AND ADOPTED this ____ day of _____, 2016.

CITY OF PALM BEACH GARDENS, FLORIDA

BY: _____
Eric Jablin, Mayor

ATTEST:

BY: _____
Patricia Snider, CMC, City Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

BY: _____
R. Max Lohman, City Attorney

VOTE:

AYE NAY ABSENT

MAYOR JABLIN

VICE MAYOR LEVY

COUNCILMEMBER RUSSO

COUNCILMEMBER PREMURROSO

COUNCILMEMBER TINSLEY

EXHIBIT "A"

EXHIBIT "B"

MEMORANDUM OF UNDERSTANDING

The City of Palm Beach Gardens ("City") and Professional Firefighters/Paramedics of Palm Beach County, Local 2928, IAFF, Inc. ("IAFF") in recognition of the creation of the positions of Battalion Chief, District Captain, Captain (station) and Rescue Lieutenant hereby enter into this Memorandum of Understanding and state the following:

1. Those individuals on the current promotional list for Lieutenant will comprise the new promotional list for Captain.
2. Lieutenants O'Brien, Pieris and Markle will be eligible to step up to the position of District Captain until such time as a promotional list, with at least three (3) names, has been created for that position.
3. EMS Captains Tuman, McLaughlin and Lieutenant O'Brien will be eligible to step up to the position of Battalion Chief until such time as a Battalion Chief list, with at least three (3) names, has been created.
4. Battalion Chiefs can be stepped down to fill the District Captain position until a District Captain's promotion list, with at least three (3) names, has been created.
5. Captain Haywood will be classified as a Battalion Chief, and will also act as a District Captain.
6. The reference in the Collective Bargaining Agreement ("CBA") regarding two (2) Fire Medics taking personal leave on any given day shall mean Fire Medics and/or Rescue Lieutenants with a total of two (2) individuals in those positions being off on a given day.
7. For purposes of providing personal leave slots Captains, District Captains and Battalion Chiefs will be grouped together.
8. Employees who owe more than seventy-two (72) hours of shift exchange can only do shift exchanges to repay other employees. Employees who are owed more than seventy-two (72) hours can do shift exchanges that reduce that balance.

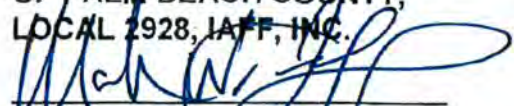
**FOR THE CITY OF PALM
BEACH GARDENS**



Robert L. Norton, Esquire

12-15-2015
Dated

**FOR THE PROFESSIONAL
FIREFIGHTERS/PARAMEDICS
OF PALM BEACH COUNTY,
LOCAL 2928, IAFF, INC.**



Mark W. Floyd, Esquire

12-15-2015
Dated

MEMORANDUM OF UNDERSTANDING

by and between the

CITY OF PALM BEACH GARDENS

and the

**PROFESSIONAL FIREFIGHTERS/PARAMEDICS OF PALM BEACH COUNTY,
LOCAL 2928, IAFF, INC.**

WHEREAS the City of Palm Beach Gardens (City) and the Professional Firefighters/Paramedics of Palm Beach County, Local 2928, IAFF, Inc. (Local 2928), recently entered into an agreement for a successor collective bargaining agreement (Successor Agreement) to be effective October 1, 2015, which will succeed the existing collective bargaining agreement (Agreement) which expired September 30, 2015;

WHEREAS the Successor Agreement must be ratified by both the bargaining unit represented by Local 2928 and the City Council before it becomes effective;

WHEREAS the Successor Agreement establishes new and/or modified classifications within the bargaining unit and new and/or modified promotional examination procedures for such classifications;

WHEREAS the City recently began a promotional examination process for the existing rank of Captain under the terms of the Agreement; and

WHEREAS upon ratification by the City and Local 2928 the current promotional examination process for the rank of Captain will be discontinued and a new promotional examination process will be prepared for the rank of Battalion Chief and the number of employees eligible to participate should increase;

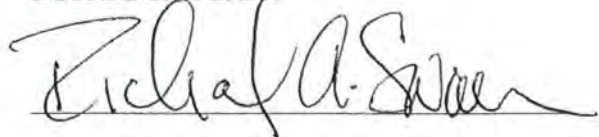
IT IS THEREFORE AGREED by and between the City and Local 2928 that the current promotional examination process for the rank of Captain will be discontinued and that the City will, after ratification of the Successor Agreement, conduct a new promotional examination process for the rank of Battalion Chief in accordance with the terms of the Successor Agreement. It is further agreed that candidates who do not possess Fire Officer II but are otherwise eligible to participate in the Battalion Chief promotional process shall be allowed to participate in the promotional process and shall have six months from the date final scores on the promotional examination process are posted to obtain Fire Officer II or be removed from the promotional eligibility list.

FOR THE CITY:



Date: 11-5-15

FOR LOCAL 2928:



Date: 11-6-15