

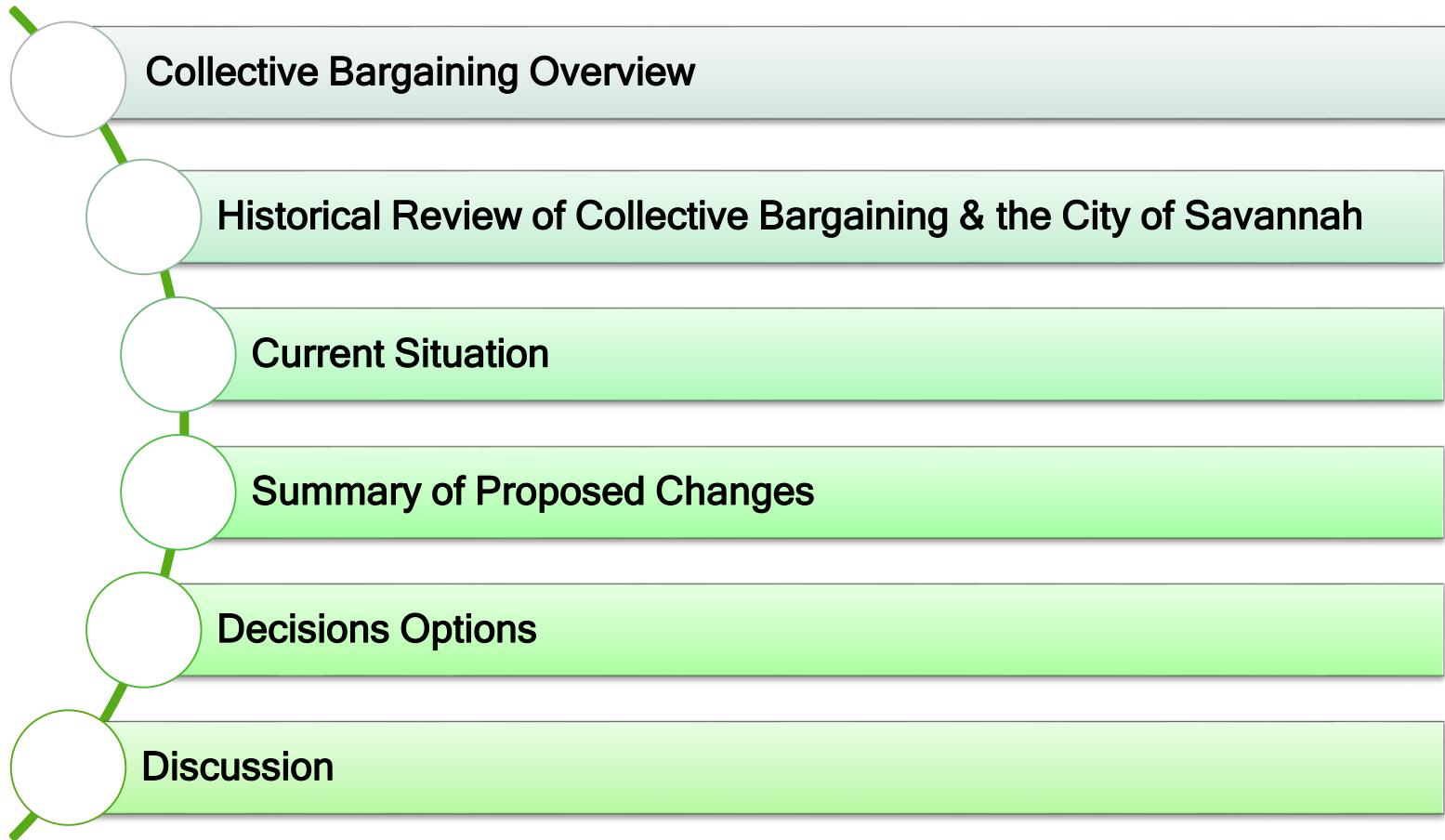


**Proposed
Labor- Management Agreement
with
IAFF Local 574**

City Council Workshop
September 13, 2018



Agenda



Collective Bargaining - An Overview



Collective Bargaining Defined

A process of negotiation between an employer and an organization representing a group of employees concerned with the negotiation, administration, interpretation and enforcement of written agreements and understandings relating to wages, benefits, working conditions, and other conditions of employment.



Collective Bargaining Agreement

What it is: An enforceable contract between an employer and a labor organization that defines certain conditions of employment for covered employees (wages, hours, working conditions, etc.).

What it is not:

- “Words on paper.”
- Insignificant



Georgia, Public Employees & Collective Bargaining

- Right to Work State
- Employees cannot be forced to join or financially support a union
- Public sector employees do not have a right to negotiate salaries, benefits or other conditions of employment
- **Exception:** Firefighters pursuant to § 25-5-1 thru §25-5-14, Official Code of Georgia



Firefighter's Mediation Act

- Adopted by State Legislature in 1971
- Codified as § 25-5-1 thru §25-5-14, Official Code of Georgia
- Provides firefighters the right to bargain collectively and to be represented by a labor organization as to wages, rates of pay, hours, working conditions, and all other terms and conditions of employment
- Prohibits strikes, work stoppages or slowdowns by firefighters



- Applies to a municipality with a population of 20,000
- Requires a municipality to adopt the provisions of the Act by ordinance



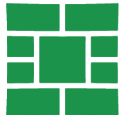
Collective Bargaining - Savannah



Key Actions

May 27, 1971, City Council Resolution

- Agreed to “enter into negotiations with Local 574, International Association of Firefighters for the purpose of bargaining collectively as to wages, rates of pay, hours, working conditions and all other terms and conditions of employment.”
- “Granted the same privileges granted to other local unions of city employees.”
- Did not invoke state law regarding collective bargaining



October 31, 1973, City Council Policy Adoption

- “Rules Regulating City Employee Unions and Regulating Negotiations with City Employee Unions”
- Excluded “supervisory personnel” from joining and being represented by a union
- Described management rights, agreement scope, termination of negotiation, restricted economic benefits to current budget year, designated City representative in negotiations, conduct of negotiations with union, impasses, internal conduct of union, dues check off, strike prohibition as a condition of recognition



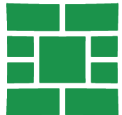
January 10, 1974

- Letter from Mayor John P. Rousakis to W.H. Crawford, Secretary of Trades and Labor Assembly of Savannah
- “only city in the state to recognize unions and engage in collective bargaining...”



January 14, 1974

- Memo from City Manager Don Mendonsa to City Council
- “Factors to be considered in deliberating about the City’s response to the issues with the firefighters’ union”
- “Savannah is the only local government in the State that recognizes and negotiates collectively with employee unions”



Current Situation

Most recent agreement - 1/1/08 thru 12/31/12

- Negotiations held between June 2012 and July 2015
- No agreement reached - disagreement on inclusion of captains into the bargaining unit and automatic annual pay increases
- City Attorney opined “current contract has expired”
- 2018 - City Council directed City Manager to reengage discussions



Proposed Changes



Article 1
Purpose

- Affirms City’s recognition of IAFF Local 574 on May 27, 1971 as the official bargaining agent for City’s firefighters
- Adds paragraph promoting good will between the parties
- Replaces references to “Union” with “Association”

Article 2
Recognition

- Replaces “supervisory personnel” with “management personnel”
- Includes captains in addition to firefighter, advanced firefighter, and master firefighter



Article 3
Non-discrimination

- Includes sexual orientation, marital status and revises the nondiscrimination clause

Article 4
Employer Rights

- Rights not amended by the agreement are retained by employer
- Adds “civil emergency condition” clause that allows City Manager to suspend Agreement under certain conditions



Article 5
Scope of Agreement

- Excludes language providing feedback to unsuccessful candidates in the promotional process
- Includes a waiver of rights/obligation to negotiate other items not included in agreement unless mutually consented to
- All terms and conditions not covered by the Agreement remain under the City's direction and control

Article 6
Negotiations

- Changes the date for presenting negotiation issues from the second negotiation session to the fourth
- Revised impasse date from November 1 to August 1 of the contract expiration year
- Eliminates language restricting Local's ability to contact council members and City's ability to contact IAFF members during impasse
- Agreement remains until replaced



Article 7
Internal Conduct of the
Association

- Eliminates all previous financial and operational reporting requirements with the exception of annual updates to the City regarding pertinent contact information
- City Manager will be notified of fund raising activities no later than fifteen days prior to the use of third party solicitations

Article 8
Association Deductions

- Allows up to three separate Association deductions from the wages of covered employees



Article 9
Wages

- Pending litigation

Article 10
Bulletin Board

- Bulletin boards will be provided for use by the Association for each station
- All notices shall be signed by any executive officer of the Association
- Notices may be posted regarding political candidates or legislation for information sharing purposes only
- Violations may be discussed at labor and management meetings



Article 11
Hours of Work

- Pending litigation

Article 12
Emergency Call Back,
Stand By, or Mandatory
Hold Over Pay

- Pending litigation



Article 13
Departmental Policies,
Rules and Regulations

- Fire Chief or designee will notify Association of changes no later than 15 days prior to effective date of change
- Employees will be notified of changes either in writing, via bulletin board postings or electronically
- Establishes a joint Association and Fire Department committee to review proposed changes at a minimum of one month prior to release; meetings to occur quarterly

Article 14
Employee Benefits

- City agrees to conduct a study by August 2020 on the financial impact of a voluntary employee benefit association
- City agrees to consider offering additional defined contribution plan options
- City agrees to continue covering all costs associated with contributions to the Georgia Firefighters Pension Fund



Article 15
Vacation

- City agrees to conduct cost analysis by August 2020 on offering a vacation buy back option
- Three rounds of vacation picks will occur; all picks will be completed by November 1 of preceding year
- Employees with over 25 years of service will be allowed two picks during the first round; all others during regular slots and based on seniority
- Vacation will be earned according to the City's Leave Policy as of the effective date of this agreement

Article 16
Holiday Pay and Leave

- Adds an additional hour of monthly holiday leave (total of 11 hours per month) for 56-hour week employees
- Changes requirement for employees to submit choice of individual increment or lump sum with vacation requests by January 1 to a minimum of one work shift in advance



Article 16

Holiday Pay and Leave (continued)

- Allows more than one day to be used per month
- City agrees to conduct cost analysis by August 1, 2020 on offering holiday pay buy back option



Article 17
Sick Leave

- Removes language stating 40-hour employees will receive 8 hours per month
- Prior to separation, employees may be afforded a review by the HR Director
- Sick leave will not be granted for illnesses resulting from moral turpitude, intoxication, or illegal use of narcotics
- Up to 1100 hours of accrued sick leave may be used beyond FMLA expiration for non-job related injuries or illnesses

Article 18
Exchange of Duties

- Not permitted if it interferes with operations
- Changes the required approver from Battalion Chief to the appropriate supervisor
- Written explanations detailing the reasons for denied requests will be provided
- Removes restrictions regarding time and number of exchanges allowed within a certain time frame



Article 18
Exchange of Duties
(continued)

- Adds a ninety day limit for repaying time owed and restricts repayment with either money or valuables
- Exceptions can be made by Fire Chief
- Restricts ability of personnel short of training hours to exchange shifts



Article 19
Clothing and Equipment

- Class A uniforms will be provided as funding becomes available
- Lost or damaged items due to negligence must be replaced by employee
- Washers and dryers will be placed in all fire stations and training center
- Changes \$12.50 per pay period allowance for laundry to personal uniform/equipment maintenance
- IAFF logo may be worn at the Association's expense on select attire to exclude polos, dress uniform shirts and jackets
- Members may opt out of wearing IAFF logo on apparel

Article 20
Prohibition of Strikes

No Change



Article 21
Discipline, Disciplinary
Appeal and Conflict
Resolution

- Pending litigation

Article 22
Medical Insurance

- Article will be reopened as funding is available for inclusion of minimum obtained fitness score and medical insurance incentive



Article 23
Injury Leave

- Light duty work may be assigned to injured employees if approved by doctor and HR
- Assignments will be made within Fire Department if possible or to other departments

Article 24
Working out of
Classification

- Pending litigation



Article 25
Safety and Health

- Changes frequency of Safety Committee meetings from monthly to quarterly
- Establishes cancer and peer support subcommittees as a part of the Safety Committee
- Fire Chief or designee will provide written response for disagreements with Safety Committee recommendations; alternative recommendations will be provided within 45 days
- Disagreements will be discussed during labor and management meetings

Article 26
Savings Clause

- Added language that prevents nullification of an entire article in the event one section or provision is nullified



Article 27
Labor Management
Committee

- Committee will include: City Manager or designee; Human Resources Director; Fire Chief; and Association President or Designee, Vice President, Secretary or Treasurer
- Changes meeting frequency from twice per year to at least quarterly
- Agenda items for meetings must be submitted at least 30 days prior to meeting

Article 28
Term of Agreement

- Effective upon approval by Council and in effect until December 31, 2022



Article 29
Grievances - continued
(New)

- Pending litigation

Article 30
Association
Administrative Leave
Bank (New)

- City will provide bank of 150 hours for administrative use by Association officers
- City will keep record of hours
- Requests for usage will be submitted to Fire Chief or designee
- Surplus hours will carry over to the next year
- Creation of overtime will not be a reason for denial of leave usage



Article 30
Association
Administrative Leave
Bank - continued **(New)**

- Members will be assessed 2.5 hours annual leave per year to add to the leave bank
- Officials will receive pay for participating in any committee established by this agreement
- Officers may not use administrative leave to participate in meetings outside of normal shift



Article 31
Use of Facilities by
Association **(New)**

- Allows meetings, trainings, etc. to be conducted on duty and on city property
- Training Facility will be provided up to two weeks per year subject to CM approval
- Requests cannot be denied arbitrarily
- Denials will be discussed during labor and management meetings

Article 32
Probationary Employee
(New)

- Allows probationary employees to give authorization to City to provide contact information to Association
- Association may be provided with an eight hour recruit school night burn educational training session



Article 33
Promotions **(New)**

- Pending litigation

Article 34 (New)
Seniority Rights/Layoff
and Recall

- Defines City, Department and Classification Seniority
- Suspensions will not affect employee's length of service
- Unpaid leaves of absence authorized by CM for benefit to the City more than 365 days will not constitute a break in service
- HR Director will post the most current seniority list by April 1 on an annual basis
- Layoffs to be conducted in inverse order of seniority
- Recalls to be conducted according to seniority



Article 35 (New)
Military Leave

- Establishes a workday or shift to be the equivalent of employees' regularly scheduled work cycle
- Allows 24-hour shift employees to use up to 202 hours of military leave

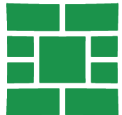
Article 36 (New)
General Provisions

- Recognizes the importance of establishing a drug free workplace; EAP Identification; Employee Re-hire policy; etc.
- City will continue recognizing Civil Service Provisions
- City will provide one copy of agreement to each station within 21 days after signature and will place a copy on CINC



Article 36 (New)
General Provisions
(continued)

- Full body ultrasound preventative screening will be provided to all employees unless waived
- Every member will participate in Fire Departments' physical maintenance program and devote at least one hour a day to fitness while on duty
- All levels of degrees are eligible for educational reimbursement if job-related
- City will reimburse one time change for modification of license by employee to Class A, B, E or F



Decision Options



Decision Options

- (1) Reject and repeal rule/policy
- (2) Refine and renegotiate
- (3) Approve



Discussion

