

## COMMISSION MEMORANDUM

TO: Mayor Dan Gelber and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: April 19, 2019

SUBJECT: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA RATIFYING A THREE-YEAR LABOR AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS/LOCAL 1510 (IAFF), FOR THE PERIOD FROM OCTOBER 1, 2018 THROUGH SEPTEMBER 30, 2021; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT**

### **ADMINISTRATION RECOMMENDATION**

Adopt the Resolution.

### **BACKGROUND**

The City's workforce is divided into seven salary groups: (1) those covered by the American Federation of State, County and Municipal Employees, Local 1554 (AFSCME) bargaining unit; (2) those covered by the Communications Workers of America, Local 3178 (CWA) bargaining unit; (3) those covered by the Government Supervisors Association of Florida/OPEIU, Local 100 (GSA) bargaining unit; (4) those covered by the Fraternal Order of Police, William Nichols Lodge No. 8 (FOP) bargaining unit; (5) those covered by the International Association of Fire Fighters, Local 1510 (IAFF) bargaining unit; (6) Unclassified; and (7) "Others" (classified service employees not represented by a bargaining unit).

### **ANALYSIS**

On September 30, 2018, the three-year collective bargaining agreement between the City of Miami Beach and the IAFF (covering the period of October 1, 2015 through September 30, 2018) expired. The City and IAFF began meeting in August 21, 2018 to negotiate a successor agreement. After five formal negotiation sessions, on March 22, 2019, the City and IAFF reached a tentative three-year agreement covering the period of October 1, 2018 through September 30, 2021.

The IAFF leadership held a ratification vote on the proposed agreement on Wednesday, April 17, 2019. As per the attached email from the IAFF President, Adonis Garcia, the agreement was ratified by 96 percent of the members who voted. (Attachment 1)

The following is a summary of the newly negotiated terms between the parties:

### ***General Provisions***

**6.12 Fire and Rescue Off Duty Services:** Rate for each position determined by Chief and Union President.

6.13 Promotional Examinations and Appointments: **Lt. and Capt. promotional lists** expiring 02/29/2020 to be extended to 02/28/2021. Lists good for 36 months. In the event that a vacancy should occur prior to 2/28/21, for the position of Captain, the parties agree to allow the Fire Chief to appoint an acting Captain until the testing process is completed.

- FF can take promotional exam after 4 years with a bachelor's degree in specified course of study. (5yrs w/o degree)
- Adding Fire Officer 1 to Paramedic requirement 8 years with a bachelor's degree in specified course of study. (9yrs w/o degree)
- Adding Master's degree in specified course of study to be eligible for Captain's exam.
- Written exam weighting changed from 50% to 60%, Behavioral assessment weighting changed from 50% to 40%.
- Change promotional credits from 8-10 split equally between seniority and education.
- 1 pt. for AS degree; 3 pts for specified Bach. Degree or any Master's degree; 5 pts. for specified Master's degree.

### ***Pension***

#### 7.24 Pension:

- **Pension-** Allow a window of opportunity (7/1/2021 to 9/30/2021) for all BU members to purchase up to two years creditable service with in increments of 3% up to a maximum of 6 % multiplier for military service and/or prior county or municipal fire service. Can only be used if the employee completes 10 years of service. Sick and or annual leave can be used for the purchase. Future employees can exercise this option within the first twenty-four months of employment. Current employees who have previously purchased past credit up to the two years may not use this option.
- **Vesting- Increase from 5-10 years**
- **Age to collect- Once benefit reaches 85%, no age requirement.**

### ***Cost-Of-Living Adjustments (COLA)***

#### 7.1 Wage Increases:

- 0% October 2018
- 1% April, 1, 2020
- 1% April 1, 2021

### ***Other Economic Items***

6.7 Uniforms: Add winter jacket and raincoat every three years. Marine unit- three pairs of boating shorts, three long sleeve and short sleeve shirts and one pair of boating shoes annually.

7.3 Assignment Pay: 24 shift officers who were assigned to Rescue and previously received 5% will also get the 10%.

7.4 Paramedic and EMT Pay: Paramedic Pay increase from 10% to 14%. 2% effective the first pay period ending in April 2019; and an additional 2% effective the first pay period ending in April 2020.

7.9 Overtime: Forced overtime paid at double time.

7.11 Holidays: Shift employees can choose to take alternate 12 hours holiday. Must elect quarterly in advance or will automatically receive pay in lieu of time off.

Effective 9/30/2019 Shift employees can have the option to elect to be paid a lump sum for all holidays at the end of the fiscal year.

7.14 Sick and Vacation Leave Accrual and Maximum Payment of Termination: The Must Use Cap on vacation accrual increased from 460 to 500 hour (600 to 750 for 24- hour shift employees). Employees shall be permitted to carry hours over the cap until March 31<sup>st</sup> of the following year.

7.15 Sick Leave Sell Back Program: Employees with less than 15 yrs. of service may sell 96 hrs. (144 for shift personnel)

7.20 On-Call: Increase of \$300 to \$400 for each month employee is placed in an on-call status.

7.32 SWAT: Swat team assignment – 5% biweekly. Non-pensionable.

7.35 Combat Challenge: Increase from \$50/biweekly to \$75 biweekly.

### ***Miscellaneous Items***

Article 1: Adding Fire Inspector I & Fire Inspector Supervisor to the bargaining unit.

6.21 Disclosure of Records: Employees will not have information contained within any of their files disclosed to persons other than the City's managerial and supervisory employees except as provided by law.

6.22 Defense of Members: In the event any action for civil damages is brought against a member of the bargaining unit hereunder individually, the City shall provide for the legal defense of the member and shall pay any resulting judgment against the member if authorized by Florida law.

#### 7.17 Health Trust Contributions:

- Future annual increases to the City monthly contributions will be made based upon the Annual Segal Health Plan Cost Trend Survey for Open Access PPO/POS Plans.
- Firefighters Trust Fund shall provide the audited financial Statements from the TRUST CPA on an annual basis but not later than March 1<sup>st</sup> of each calendar year.

7.23 "Me too" with the FOP: Strike the following language- " any such discussions shall not exceed a period of 90 days from the date of the first meeting, and in no event shall the discussions continue beyond the contract expiration date."

7.27 Compensation Plan: New Classifications of Fire Inspector and Fire Inspector Supervisors will be entitled to the following IAFF benefits:

- Overtime
- Call In
- Holidays
- Vacation accrual
- Sick Leave Buyback
- Hours of Work
- IAFF Health Trust
- Court Time
- Voting Time

- Fire Accreditation pay
- Second Language pay
- Take-Home Vehicles
- Step Plan

### **ESTIMATED FISCAL IMPACT**

The terms and conditions of the proposed three-year labor agreement between the City and IAFF assumes an estimated impact of \$1,254,000 for FY 2018/19; \$1,913,500 for FY 2019/20; \$2,394,500 for FY 2020/21. The total estimated three-year impact is \$5,562,000. (Attachment 2)

### **CONCLUSION**

The Administration finds the provisions of this contract fair to the employees and fiscally responsible for the City. Therefore, adoption of this resolution is recommended. Exhibit A to the resolution is a copy of the proposed labor agreement.

The City Attorney's Office has reviewed and approved the contract language as in form and legal sufficiency. (Attachment 4)

Attachments

JLM/MT/MS

