

REPORT TO THE CITY COUNCIL

FROM: TJ MILLER, Director
Personnel Services Department

SUBJECT

..Title

***Adopt a successor Memorandum of Understanding between the City of Fresno and Fresno Police Officers Association (Police- Unit 9) **(Subject to Mayor's Veto)**

..Body

RECOMMENDATION

It is recommended Council (1) approve the attached Memorandum of Understanding (MOU) to implement wages, hours and other terms and conditions of employment for employees in Unit 9, Police Management, represented by FPOA.

EXECUTIVE SUMMARY

The City and Fresno Police Officers Association (Police Management – Unit 9) reached a tentative agreement on a successor MOU which will replace the MOU that expired on June 20, 2021. The MOU provides for an agreement from January 31, 2022 through June 16, 2024, increases to wages, and other changes in terms or conditions of employment.

BACKGROUND

The City and FPOA Unit 9 started meeting in May 2021 to work towards reaching agreement on a successor MOU. The parties reached a tentative agreement on January 24, 2022. Members of the Unit are expected to ratify on January 27, 2022.

Major changes to the MOU are summarized below.

- **Term:** January 31, 2022 through June 16, 2024.
- **Wages:**
 - 3% wage increase, retroactively effective June 21, 2021.
 - 3% wage increase, effective June 20, 2022.
 - 3% wage increase, effective June 19, 2023.
 - Additional Steps for Police Lieutenants and Police Captains:
 - Addition of an H Step, effective January 31, 2022.
 - Addition of an I Step, effective June 19, 2023.
 - The additional steps represent a 5% increase above the respective immediate lower step. Employees will progress to the H and I Steps after completing one year at the respective lower step.

- Update of COLA language for DROP members and retirees to reflect the new steps.
- Adjustment to Salary Range for Deputy Chiefs:
 - Increase of 5% to the bottom and top of the salary range, effective January 31, 2022.
 - Increase of 5% to the bottom and top of the salary range, effective June 19, 2023.
- Police Captains at a salary step lower than F Step on the effective date of the MOU will be placed at the F Step and will receive a new anniversary date for purposes of future step progressions.
- **Lieutenant Promotion:**
 - Lieutenants who promote to any promotive position with salary steps will be placed at Step F rather than Step E, effective January 31, 2022.
 - Lieutenants who promote to any promotive position with salary steps will be placed at the Step G rather than Step F, effective June 19, 2023.
- **Management Leave:**
 - Additional 8 hours per year that employees may use or cash out. This change increases Management leave from 82 to ~~100~~90 hours for Police Lieutenants and Police Captains, and from 100 to 108 hours for Deputy Chiefs.
 - Eliminate outdated reopener language.
- **Health Reimbursement Arrangement (HRA):**
 - ~~Language updates to reflect new Special HRA Vacation Bank.~~
 - Agree to review certain language in the HRA Plan Document with the intent to delete the language, provided removing the language does not result in a material detriment to the plan, in which case the City will provide a written explanation to FPOA within 90 calendar days.
 - Language clean up.
- **Schedules:** Language updates and cleanup. The Chief has the ability to make schedule changes for the good of the service. The Chief shall provide members with a 30-day notice employees in the event of a permanent schedule changes.
- **Grievance Procedure:**
 - Grievances involving complaints of discrimination, will be filed under the formal process prescribed in the MOU.
- **Police Reform Meet and Confer:** Clarification that any changes made as a result of recommendations from the Police Reform Commission which fall within the mandatory scope of bargaining are subject to meet and confer.

In addition to the above, there was language clean up throughout the MOU.

The City Attorney's Office has approved the new MOU as to form.

ENVIRONMENTAL FINDINGS

By the definition provided in the California Environmental Quality Act Guidelines Section 15378 this item does not qualify as a “project” and is therefore exempt from the California Environmental Quality Act requirements.

LOCAL PREFERENCE

Local preference is not implicated because this item does not involve public contracting or bidding with the City of Fresno.

FISCAL IMPACT

Approval of the MOU will result in estimated additional salary and benefit expenses of \$202,297 to the General Fund and \$417,012 to All Funds in FY22, \$654,065 to the General Fund and \$794,568 to All Funds in FY23, and \$1,077,638 to the General Fund and \$1,218,142 to All Funds in FY24, for a total of \$1,934,000 to the General Fund and \$2,429,722 to All Funds for the term of the MOU, which expires 6/16/2024.

Attachments:

City of Fresno and FPOA Management – Unit 9 MOU – Redline
City of Fresno and FPOA Management – Unit 9 MOU – Final
Costing for Proposed MOU