



Legislation Details (With Text)

File #: ID17-944 **Version:** 1 **Name:**

Type: Action Item **Status:** Passed

File created: 6/23/2017 **In control:** City Council

On agenda: 6/26/2017 **Final action:** 6/26/2017

Title: Actions pertaining to the Fresno Police Officers Association (FPOA) for Unit 4
1. ***Adopt a Memorandum of Understanding between the City of Fresno and the Fresno Police Officers Association (FPOA) for Unit 4 - Non-Management Police
2. ***RESOLUTION: Adopt the First Amendment to FY 2018 Salary Resolution No. 2017-176, amending salaries in Exhibit 4, Unit 4 - Non-Management Police (FPOA), as required by the Memorandum of Understanding between the City of Fresno and the Fresno Police Officers Association
3. *** Approve a Side Letter of Agreement with the Fresno Police Officers Association (FPOA), for Unit 4 - Non-Management Police, regarding Lateral Hire Incentives

Sponsors: Personnel Services Department

Indexes:

Code sections:

Attachments: 1. Unit 4, FPOA Basic MOU Draft Redline.pdf, 2. Unit 4, FPOA Basic MOU Final.pdf, 3. Cost Estimate of MOU.pdf, 4. Resolution - 1st Amend to FY18 Salary Resolution.pdf, 5. Salary Tables - 1st Amend to FY18 Salary Resolution_REDLINE.pdf, 6. Salary Tables - 1st Amend to FY18 Salary Resolution_FINAL.pdf

Date	Ver.	Action By	Action	Result
6/26/2017	1	City Council	adopted	Pass

REPORT TO THE CITY COUNCIL

June 26, 2017

FROM: JEFF CARDELL, Director
Personnel Services Department

BY: KEN PHILLIPS, Labor Manager
Personnel Services Department

SUBJECT

Actions pertaining to the Fresno Police Officers Association (FPOA) for Unit 4
1. ***Adopt a Memorandum of Understanding between the City of Fresno and the Fresno Police Officers Association (FPOA) for Unit 4 - Non-Management Police
2. ***RESOLUTION: Adopt the First Amendment to FY 2018 Salary Resolution No. 2017-176, amending salaries in Exhibit 4, Unit 4 - Non-Management Police (FPOA), as required by the Memorandum of Understanding between the City of Fresno and the Fresno Police Officers Association

3. *** Approve a Side Letter of Agreement with the Fresno Police Officers Association (FPOA), for Unit 4 - Non-Management Police, regarding Lateral Hire Incentives

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 City employees in Unit 4, Non-Management Police, represented by FPOA; (2) adopt the First Amendment to the Fiscal Year 2018 Salary Resolution No. 2017-176 to amend salaries in Exhibit 4; and (3) approve a Side Letter of Agreement with FPOA which renews and amends the provision of hiring incentives for qualified lateral police hires from other California police agencies and provides incentives for current Fresno Police Officers who refer lateral hires.

EXECUTIVE SUMMARY

The City and FPOA reached a tentative agreement on a successor MOU which will replace the MOU that expires on June 30, 2017. The MOU provides for an agreement through June 23, 2019, increases to salaries, and other changes. To implement the MOU it is necessary to approve the First Amendment to FY 2018 Salary Resolution No. 2017-176, amending Exhibit 4 to implement salary adjustments as stated in the MOU. Further, Council is asked to approve a side letter of agreement with FPOA to renew and amend the provision of hiring incentives for qualified lateral police hires from other California police agencies and provides incentives for current Fresno Police Officers who refer lateral hires. The MOU, Salary Resolution Amendment, and side letter are retroactively effective June 26, 2017.

BACKGROUND

The City and FPOA started meeting in March 2017 to work towards reaching agreement on a successor MOU. Members of the Unit ratified on June 23, 2017.

Major points of the attached MOU are summarized below.

- **Term:** Two years. June 26, 2017 to June 23, 2019. (Beginning of first pay period in FY 2018 to end of the last pay period in FY 2019.)
- **Wages:**
 - Creation of a new “G” Step effective first pay period in FY 2018. “G” Step 5% above “F” Step.
 - 3% general wage increase effective first pay period in FY 2019.
- **Pension Changes:** Actuarial studies to be prepared on Tier 1 DROP members and retirees, on a buy back option for “Dissolution or Legal Separation” for Tier 1 and Tier 2; and, on a retirement formula of 3% @ 57. Actuarial costs to be shared. Limited reopener on changes after actuarial studies.
- **Corporal Side Letter:** Incorporate Side Letter into the MOU.
- **Senior Officer Side Letter:** Incorporate Side Letter into the MOU and make the premium pay

for working swing or night shift pensionable.

- **Promotion to Sergeant:** Employees to receive a minimum 5% wage increase on promotion to Sergeant.
- **Court Appearances:** Premium pay increased from \$36 to one hour at one and one half times base rate of pay.
- **Special Events Pay:** Pay for special events to be increased from time and a half at C Step to time and a half at D Step when the Master Fee Schedule is amended as part of the annual update.
- **Sick Leave:** Restore sick leave accruals to 8 hours per month.
- **Vacation:**
 - Restore vacation accruals to those in effect on July 11, 2011.
 - Raise the cap for those with less than 15 years from 280 hours to 300 hours and for those with 15 years or more from 360 hours to 400 hours.
 - Increase the number of vacation bids from two to three.
- **Guaranteed Leave:** Decrease dollar limits to Guaranteed Leave by restoring the original limits.
- **Hours/Work Schedules:** Remove extra pay if meal break missed. Cleanup language.
- **Patrol Matrix Signups:** Provide the department more flexibility on assigning probationary employees and employees returning from long term leave.
- **Traffic Bureau:** No extra pay if miss a meal break. Specify core schedules. Language cleanup
- **Special Unit Seniority and Bidding:** New section outlining seniority and bidding rights for employees in special units.
- **Chief's Exemption:** Increase Chief's ability to choose an employee for a special unit assignment from 5 employees to 3% of filled positions.

In addition to the above, there was language clean up and other provisions to streamline and memorialize department operations throughout the MOU.

Side Letter on Lateral Hire Incentives

In 2015, the City Council approved a Side Letter Agreement with the FPOA which provided hiring incentives for lateral officers through June 30, 2016. In 2016, the Side Letter Agreement was renewed for an additional year effective July 1, 2016 with City Council approval. This was in recognition that the employment environment for experienced officers is very competitive and the City was still in the process of rebuilding the Police Department.

With the extension of the side letter employees in this unit who were lateral hires prior to the lateral hire incentive will also accrue vacation leave based on their previous sworn employment following confirmation of such prior service.

The City Attorney's Office has approved the new MOU, Salary Resolution Amendment, and the side letter 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 and Salary Resolution Amendment will result in an additional salary and benefit expenses of approximately \$3,006,912 to the General Fund in Fiscal Year 2018, and approximately \$2,651,453 to the General Fund in Fiscal Year 2019.

Attachments:

City of Fresno - FPOA MOU - Redline

City of Fresno - FPOA MOU - Final

Costing for Proposed MOU

Resolution - First Amendment to FY 2018 Salary Resolution No. 2017-176

Salary Tables_Redline First Amendment to FY 2018 Salary Resolution No. 2017-176

Salary Tables_Final First Amendment to FY 2018 Salary Resolution No. 2017-176