



Legislation Details (With Text)

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Title:

1. ***Adopt a Memorandum of Understanding between the City of Fresno and the City of Fresno Management Employees Association (CFMEA) for Unit 14 - Management Confidential (Subject to Mayor's veto)
2. ***RESOLUTION: Adopt the Second Amendment to FY 2018 Salary Resolution No. 2017-176, amending salary ranges in Exhibit 14, Management Confidential as required by the Memorandum of Understanding between the City of Fresno and CFMEA; and adding the new classification of City Attorney Investigator and associated salary range in Exhibit 2, Unit 2, Non-Represented Management and Confidential Classes (Subject to Mayor's veto)

Sponsors: Personnel Services Department

Indexes:

Code sections:

Attachments: 1. CFMEA MOU 2017 - REDLINE.pdf, 2. CFMEA MOU 2017 - FINAL.pdf, 3. CFMEA Cost of MOU 2017.pdf, 4. Resolution - 2nd Amend to FY18 Salary Resolution.pdf, 5. Salary Tables - 2nd Amend to FY18 Salary Resolution_REDLINE.pdf, 6. Salary Tables - 2nd Amend to FY18 Salary Resolution_FINAL.pdf

Date	Ver.	Action By	Action	Result
8/3/2017	1	City Council	approved	Pass

REPORT TO THE CITY COUNCIL

August 3, 2017

FROM: JEFF CARDELL, Director
Personnel Services Department

BY: KEN PHILLIPS, Labor Relations Manager
Personnel Services Department

SUBJECT

1. ***Adopt a Memorandum of Understanding between the City of Fresno and the City of Fresno Management Employees Association (CFMEA) for Unit 14 - Management Confidential (**Subject to Mayor's veto**)
2. ***RESOLUTION: Adopt the Second Amendment to FY 2018 Salary Resolution No. 2017-176, amending salary ranges in Exhibit 14, Management Confidential as required by the Memorandum of Understanding between the City of Fresno and CFMEA; and adding the new classification of City Attorney Investigator and associated salary range in Exhibit 2, Unit 2, Non-Represented Management and Confidential Classes (**Subject to Mayor's veto**)

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 14, Management Confidential, represented by CFMEA; and (2) adopt the Second Amendment to Salary Resolution No. 2017-176 to amend salary ranges in Exhibit 14, and add the new classification of City Attorney Investigator in Exhibit 2, Unit 2, Non-Represented Management and Confidential Classes.

EXECUTIVE SUMMARY

The City and CFMEA reached a tentative agreement on a successor MOU which will replace the MOU that expired on June 30, 2017. The MOU provides for an agreement through September 29, 2019, increases to salary ranges, contributions to deferred compensation, and other changes. To implement the MOU it is necessary to approve the Second Amendment to FY 2018 Salary Resolution No. 2017-176, amending Exhibit 14 to implement salary range adjustments as stated in the MOU; retroactively effective July 1, 2017.

In addition, following the approval of the Fiscal Year 2018 (FY18) budget, Personnel Services in collaboration with the City Attorney's Office, has developed the new classification of City Attorney Investigator, which is being added to Unit 2, effective August 7, 2017.

BACKGROUND

The City and CFMEA started meeting in March 2017 to work towards reaching agreement on a successor MOU. The parties reached a tentative agreement on June 16, 2017, which was ratified by the members of the Unit on June 27, 2017. The tentative agreement is subject to Council approval is summarized below.

- Term: July 1, 2017 through September 29, 2019
- Salary Ranges:
 - 2% increase to the minimum and maximum of each salary range effective July 1, 2017.
 - The classifications of Deputy City Engineer and Building Services Manager will be moved to a new salary range 2.5% higher than Salary Range E11.
 - All classifications in Salary Range E13 will be moved to Salary Range E12.
 - 2% increase to the minimum and maximum of each salary range effective July 1, 2018.
- Deferred Compensation: Effective January 1, 2018, City to contribute \$50 per month to employees who have a City deferred compensation account and elect to contribute.
- Pension: Employees transfer or promote to Unit 14 who are already paying 1.5% of the City's pension costs will continue paying the 1.5%.
- Dues: Dues are to be terminated when an employee leaves the Unit.
- Bilingual: Allow employees in the Unit to be certified in languages contained in the Salary Resolution and be paid \$100 per month if they have approval from the department director or designee. Employee must be certified in order to receive premium.
- Protected Leave: Language was updated to conform to the changes in state law (SB 579 and AB 1522).
- Frozen Sick Leave: Removed restrictions on the use of frozen sick leave. Frozen sick leave

can be used for the same reasons and under the same circumstances as regular sick leave.

- Health Reimbursement Arrangement (HRA): Change language requiring HRA to be book accounts only.
- Reopeners:
 - State Disability Insurance (SDI) and Long Term Disability.
 - Revisions to the Personnel, Civil Service, and/or Employer-Employee Relations provisions of the FMC.
 - The City will work towards making the 1.5% payment to pension costs the normal cost of retirement pay for new employees.

In addition to the above, there was language clean up throughout the MOU, much of which resulted from a review of the MOU by the City Attorney's Office.

The City Attorney's Office has approved the new MOU and the Salary Resolution Amendment as to form.

New Classification

The FY 2018 budget reflects a fiscally responsible and sustainable approach to restoring or enhancing essential City services. In collaboration with respective City Departments, Personnel Services proposes the establishment of new classifications and assigned salary ranges and the amendment of a salary range in order to execute and implement the actions approved in the FY18 budget. As a result, the City Attorney Investigator classification is being established. The incumbent will be responsible for performing investigative duties related to lawsuits in which the City is a party or in the prosecution of cases. The City Attorney Investigator will gather, assemble, preserve and report facts and evidence; prepare reports including findings; interview witnesses; prepares declarations, affidavits and other legal materials; and may appear as a witness in court. The currently proposed City Attorney Investigators in the FY 2018 budget will be assigned to provide essential support to the Anti-Slum Enforcement Team (ASET).

The City provided notice to all bargaining units regarding the new classification and associated salary range, and has concluded its meet and confer obligation.

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 additional salary and benefit expenses of approximately \$32,046 to all funds and approximately \$10,115 to the General Fund in Fiscal Year 2018, approximately \$60,746 to all funds and approximately \$18,897 to the General Fund

in Fiscal Year 2019.

Adoption of the City Attorney Investigator classification does not have any fiscal impact as it was included in the FY 2018 budget.

Attachments:

City of Fresno - CFMEA MOU - Redline

City of Fresno - CFMEA MOU - Final

Costing for Proposed MOU

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

Salary Tables - Second Amendment to FY 2018 Salary Resolution No. 2017-176 - Redline

Salary Tables - Second Amendment to FY 2018 Salary Resolution No. 2017-176 - Final