



Legislation Details (With Text)

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**File created:** 5/29/2019    **In control:** City Council  
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**Title:**

1. \*\*\*Approve a Side Letter of Agreement with the Fresno City Employees Association (FCEA) representing Unit 3 which provides for equity increases for various classifications (Subject to Mayor's Veto)
2. \*\*\*RESOLUTION - 12th Amendment to FY 2019 Salary Resolution No. 2018-159, amending Exhibit 3, Unit 3, Non-Supervisory White Collar (FCEA) to implement a previously approved wage increase and to implement phase two of the 2018 Classification and Compensation agreement with FCEA (Subject to Mayor's Veto)
3. \*\*\*Approve a Side Letter of Agreement with the Fresno City Employees Association (FCEA) representing Unit 3 which amends provisions of the Memorandum of Understanding (MOU) between the City and FCEA regarding Uniform Allowances and the Health Reimbursement Arrangement (HRA) (Subject to Mayor's Veto)
4. \*\*\*Approve a Side Letter of Agreement with the Fresno City Employees Association (FCEA) representing Unit 3 which outlines agreement for the Development and Resource Management (DARM) department to proceed with contracting out work for the Third Party Plan Review program and Plan Check work as necessary (Subject to Mayor's Veto)

**Sponsors:** Personnel Services Department

**Indexes:**

**Code sections:**

**Attachments:** , , , , , , ,

Date	Ver.	Action By	Action	Result
6/13/2019	1	City Council	adopted	

**REPORT TO THE CITY COUNCIL**

**June 13, 2019**

**FROM:** JEFF CARDELL, Director of Personnel Services  
Personnel Services Department

**BY:** KEN PHILLIPS, Labor Relations Manager  
Personnel Services Department

**SUBJECT**

1. \*\*\*Approve a Side Letter of Agreement with the Fresno City Employees Association (FCEA) representing Unit 3 which provides for equity increases for various classifications (**Subject to Mayor's Veto**)
2. \*\*\*RESOLUTION - 12<sup>th</sup> Amendment to FY 2019 Salary Resolution No. 2018-159, amending

Exhibit 3, Unit 3, Non-Supervisory White Collar (FCEA) to implement a previously approved wage increase and to implement phase two of the 2018 Classification and Compensation agreement with FCEA **(Subject to Mayor's Veto)**

3. \*\*\*Approve a Side Letter of Agreement with the Fresno City Employees Association (FCEA) representing Unit 3 which amends provisions of the Memorandum of Understanding (MOU) between the City and FCEA regarding Uniform Allowances and the Health Reimbursement Arrangement (HRA) **(Subject to Mayor's Veto)**
4. \*\*\*Approve a Side Letter of Agreement with the Fresno City Employees Association (FCEA) representing Unit 3 which outlines agreement for the Development and Resource Management (DARM) department to proceed with contracting out work for the Third Party Plan Review program and Plan Check work as necessary **(Subject to Mayor's Veto)**

## RECOMMENDATIONS

It is recommended that Council approve the attached Side Letter of Agreement with FCEA which provides for equity increases for various classifications in Unit 3 resulting from the successor MOU approved in August 2018.

Additionally, it is recommended Council approve the Twelfth Amendment to Salary Resolution No. 2018-159, amending Exhibit 3, Unit 3, Non-Supervisory White Collar (FCEA), effective June 24, 2019, to implement equity adjustments for the second phase of a 2018 Classification and Compensation Study on classes in Unit 3, represented by FCEA, and a previously approved wage increase.

It is also recommended that Council approve the attached Side Letter of Agreement with FCEA which amends provisions of the MOU between the City and FCEA on Uniform Allowances and the HRA.

It is further recommended that Council approve the attached Side Letter of Agreement with FCEA which outlines agreement for DARM to proceed with contracting out work of the Third Party Plan Review program and Plan Check work as necessary.

## EXECUTIVE SUMMARY

The City and FCEA reached agreement on a Side Letter of Agreement resulting from a 2018 Classification and Compensation Study which implements a second phase of equity adjustments to salaries for certain classes, effective June 24, 2019. Further, in August 2018, Council approved a successor MOU between the City and FCEA, which provides for a wage increase of 2.5% for all classes in the Unit, effective June 24, 2019. To implement the equity adjustments pursuant to the Side Letter of Agreement and wage increase in accordance with the MOU, it is necessary to approve the Twelfth Amendment to FY19 Salary Resolution No. 2018-159, amending Exhibit 3, Unit 3, Non-Supervisory White Collar (FCEA).

Crime Scene Technicians are required to wear upgraded uniforms which are more costly; therefore, the parties have agreed to increase the allowances for this classification. Other uniform allowance language was updated to reflect the reclassification of clerical staff in the Records Bureau of the Police Department. Additionally, language in the HRA provisions is amended to remove references to a prior fiscal year.

In order to meet deadlines under the Money Back Guarantee/Business Streamlining Act, the DARM

Department has determined a need to institute a Third Party Plan Check Review program and contract out other plan check work when the volume of work is such that staff are unable to meet deadlines. The proposed Side Letter of Agreement with FCEA outlines agreement to proceed with these actions.

## **BACKGROUND**

In 2018, the City and FCEA came to agreement on equity adjustments as a result of a Classification and Compensation Study. Due to limited available of resources, the City and FCEA also agreed that equity increases would be implemented in phases, with the first phase completed in November 2018.

On April 24, 2019, the City and FCEA reached tentative agreement on a Side Letter of Agreement to implement the second phase of equity adjustments to certain classes. Equity adjustments include increases to address critical recruitment and retention challenges for classifications in DARM involved with plan check review. The second phase of equity adjustments also provides for increases to other classifications with demonstrated recruitment or retention issues including engineering, information technology, inspection, and planning classifications. Finally, other classifications receive equity adjustments to address, in part, internal and external equity.

The City and FCEA also tentatively agreed to a Side Letter of Agreement on Uniforms and the Health Reimbursement Arrangement (HRA). The Uniform Allowance language is revised to a) change a reference to Administrative Clerks/Senior to Police Support Services Clerks/Technicians after a reclassification; and, b) increase the uniform allowance for Crime Scene Technicians due to a change in uniform requirements which resulted in higher costs for uniforms. HRA language is revised to remove obsolete references to a specific fiscal year for salary calculations.

In August 2018, Council approved a successor MOU between the City and FCEA. The MOU provides for a wage increase of 2.5% for all classes in the Unit effective June 24, 2019. The Twelfth Amendment to the FY19 Salary Resolution implements these equity adjustments pursuant to the Side Letter of Agreement and wage increase in accordance with the MOU.

On February 14 2019, Council adopted Ordinance No. 2019-009 to approve the Money Back Guarantee/Business Streamlining Act ("Act"). In order to meet deadlines mandated by the Act, DARM intends to implement a Third Party Plan Check Review program and will contract out plan check work on an as-needed basis. The City is required to meet with affected bargaining units when bargaining unit work is contracted or done by other parties. The City met with FCEA and reached agreement on the attached Side Letter of Agreement, which allows DARM to proceed with the Third Party Plan Check Review program and contracting out of plan check work. Pursuant to the terms of the Side Letter, the City is obligated to retain DARM positions related to plan check work unless the Third Party Plan Check Review program and plan check contract work are discontinued.

The City Attorney's Office has approved the Side Letters of Agreement and Salary Resolution Amendment as to form.

## **ENVIRONMENTAL FINDINGS**

N/A

## **LOCAL PREFERENCE**

N/A

## **FISCAL IMPACT**

The cost for all equity adjustments is approximately \$373,307 to the General Fund and \$867,498 to All Funds in FY 2020.

The additional cost for uniforms for Crime Scene Technicians in FY 2020 is approximately \$5,047 to the General Fund.

The cost of the scheduled wage increase is approximately \$2,082,412 to the General Fund and \$3,470,797 to All Funds for FY20, and was previously approved by Council.

The Side Letter implementing the Money Back Guarantee/Business Streamlining Act has no fiscal impact. If work is contracted out, there will be a cost, but the Side Letter of Agreement does not directly result in new costs.

### Attachments:

Side Letter of Agreement: FCEA - Third Party Plan Check Review, Contract Work  
Resolution: Twelfth Amendment to FY19 Salary Resolution No. 2018-159  
Salary Tables: Twelfth Amendment to FY19 Salary Resolution No. 2018-159 - Redline  
Salary Tables: Twelfth Amendment to FY19 Salary Resolution No. 2018-159 - Final  
Side Letter of Agreement: FCEA - Class & Comp Equity Adjustments  
Costing: Class & Comp Equity Adjustments  
Side Letter of Agreement: FCEA - Crime Scene Technician Uniform Allowance and HRA  
Costing: Crime Scene Tech Uniform Allowance