



Legislation Details (With Text)

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Title: Actions pertaining to the International Association of Fire Fighters (IAFF), Local 202 for Unit 5:
1. ***Adopt a successor Memorandum of Understanding between the City of Fresno and International Association of Fire Fighters (IAFF), Local 202 for Unit 5 (Subject to Mayor's Veto).
2. ***RESOLUTION: Adopt the 7th Amendment to FY 2022 Salary Resolution No. 2021-176, amending Exhibit 5, Fire-Non Management (IAFF), to provide a salary increase for respective classes as required by the Memorandum of Understanding between the City of Fresno and International Association of Fire Fighters (IAFF), Local 202 (Subject to Mayor's Veto).

Sponsors: Personnel Services Department

Indexes:

Code sections:

Attachments: 1. City and IAFF Basic MOU - Redline, 2. City and IAFF Basic MOU - Final, 3. Costing for Proposed MOU, 4. Resolution - Seventh Amendment to FY 2022 Salary Resolution No. 2021-176, 5. Salary Tables - Seventh Amendment to FY 2022 Salary Resolution No. 2021-176 - Redline, 6. Salary Tables - Seventh Amendment to FY 2022 Salary Resolution No. 2021-176 - Final

Date	Ver.	Action By	Action	Result
12/9/2021	1	City Council	adopted	Pass

REPORT TO THE CITY COUNCIL

FROM: TJ MILLER, Director
Personnel Services Department

SUBJECT

Actions pertaining to the International Association of Fire Fighters (IAFF), Local 202 for Unit 5:
1. ***Adopt a successor Memorandum of Understanding between the City of Fresno and International Association of Fire Fighters (IAFF), Local 202 for Unit 5 (Subject to Mayor's Veto).
2. ***RESOLUTION: Adopt the 7th Amendment to FY 2022 Salary Resolution No. 2021-176, amending Exhibit 5, Fire-Non Management (IAFF), to provide a salary increase for respective classes as required by the Memorandum of Understanding between the City of Fresno and International Association of Fire Fighters (IAFF), Local 202 (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 5, Fire Non-Management (IAFF); and (2) adopt the Seventh Amendment to the Fiscal Year 2022 Salary Resolution No. 2021-176 to amend Exhibit 5.

EXECUTIVE SUMMARY

The City and IAFF reached a tentative agreement on a successor MOU which will replace the MOU that expired on August 16, 2020. The MOU provides for an agreement from December 9, 2021 through June 30, 2024, increases to wages, and other changes in terms or conditions of employment.

BACKGROUND

The City and IAFF started meeting in June 2020 to work towards reaching agreement on a successor MOU. The parties reached a tentative agreement on November 3, 2021. Members of the Unit ratified on November 15, 2021.

Major changes to the MOU are summarized below.

- **Term:** December 9, 2021 through June 30, 2024.
- **Wages:**
 - 3% lump sum pensionable payment equivalent to 3% of actual base wages earned from August 17, 2020 through June 30, 2021.
The lump sum to impact COLA for Tier I retirees through June 30, 2022. For Tier II retirees, the lump sum payment to be treated like holiday pay downs and other pensionable leave cash outs.
 - 3% wage increase, effective November 22, 2021.
 - 3% wage increase, effective July 1, 2022.
 - 3% wage increase, effective July 1, 2023.
- **Health Reimbursement Arrangement (HRA):** HRA benefit expansion to include qualified medical expenses and an increase to the value factor from 50% to 80% of base hourly rate.
- **“Me Too” Clause:** The City agrees, upon written request of the Association, to match the wage increase or HRA percentage value factor of any other Public Safety unit that receives a greater benefit either through a successor MOU or imposition of terms.
- **Certificate Pay:** Change from flat rate to a percentage of top step Fire Captain.
- **Uniform Allowance:** Increase from \$1,200 to \$1,500; remove separate \$200 allowance for wildland pants and boots.
- **Holidays:**
 - 56-hour employees may cash out any Holiday Leave hours at any time at the straight time rate.
 - Insert “with prior City Manager approval” into Constant Staffing Policy reference.
- **Vacations:**
 - Uncovered shifts for holidays, vacation, and CTO limited to five per rank.
 - Employees may cash out up to 96 hours in 24-hour increments per fiscal year.

- Insert “with prior City Manager approval” into Constant Staffing Policy reference.
- **Compensatory Time Off (CTO):** Clarify that up to 144 hours can be cashed out “per fiscal year”.
- **Association Business:** 1,000 hours of time off per year for Association Executive Board members, which shall be reimbursed by the Association to the Department for actual time used at the actual cost of the employee’s hourly rate while on leave for Association Business.
- **Limited Reopener on Vacation and Holiday Cash Out:** To determine if cash out results in a reduction of shift replacements from 15.94 per day per employee to 13 annual average per day per employee. If the metric is not met, the City may suspend cash out provisions after meeting with the Association regarding an alternate means of a meeting the reduction goal.
- **Absent With Relief (AWR), Overtime/Shift Replacement, Assignments:** Insert “with prior City Manager approval” into Constant Staffing Policy reference.
- **In Lieu of Suspension:** Insert “with prior City Manager approval” to language which authorizes the Chief to approve an employee suspended from duty to forfeit applicable accumulated leave in lieu of the suspension.
- **IAFF Local Number:** Updates throughout to reflect the change of the Local number from 753 to 202.
- **Administrative Appeals Reopener:** Remove outdated language on a reopener to develop processes for administrative appeals of punitive actions under the Firefighters Procedural Bill of Rights Act.
- **Recognition, Dues Deduction, Compensation and Benefits:** Language updates and cleanup.

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

The City Attorney’s Office has approved the new MOU and Salary Resolution Amendment 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 estimated additional salary and benefit expenses of \$499,925 to the General Fund and \$515,085 to All Funds in FY22, \$1,958,488 to the General Fund and \$2,005,188 to All Funds in FY23, and \$3,422,894 to the General Fund and \$3,494,088 to All Funds in FY24, for a total of \$5,881,307 to the General Fund and \$6,014,361 to All

Funds for the term of the MOU, which expires 6/30/2024.

Attachments:

City of Fresno and IAFF-Basic MOU - Redline

City of Fresno and IAFF-Basic MOU - Final

Costing for Proposed MOU

Resolution - Seventh Amendment to FY 2022 Salary Resolution No. 2021-176

Salary Tables - Seventh Amendment to FY 2022 Salary Resolution No. 2021-176 - Redline

Salary Tables - Seventh Amendment to FY 2022 Salary Resolution No. 2021-176 - Final