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OFFICE OF THE CITY CLERK
OAKLAND

12 APR 18 PM 1:49

AGENDA REPORT

TO: DEANNA J. SANTANA
CITY ADMINISTRATOR

FROM: LaWanna Preston

SUBJECT: Amending the Salary Schedule

DATE: April 9, 2012

City Administrator
Approval

Date

4/18/12

COUNCIL DISTRICT: Citywide

RECOMMENDATION

Staff recommends that the Council approve an Ordinance Amending the Salary Schedule of Ordinance 12187 C.M.S (The Salary Ordinance) to Restore a 52-Hour Workweek to Fire Suppression Line Employees in Unit FQ1 Effective June 13, 2012

OUTCOME

Council action would result in a reduction from a 56-hour workweek to a 52-hour workweek for fire suppression line employees in the classifications of Fire Fighter, Fire Fighter Relief, Engineer of Fire Department, Fire Boat Engineer, Lieutenant of Fire Department, Fire Boat Operator, Fire Prevention Bureau Lieutenant, Captain of Fire Department, Battalion Chief, Fire Marshall, Fire Investigator, and Firefighter Paramedic.

BACKGROUND/LEGISLATIVE HISTORY

Concession negotiations with Local 55 began in April 2011 to address the City's Fiscal Year 2011-2012 \$58 million budget shortfall. In June 2011, the City and Local 55 reached agreement to extend the Memorandum of Understanding (MOU) through June 30, 2014 while achieving cost savings that included an 8.85% salary reduction for all classifications. Among the concessions was a temporary increase in the fire line suppression employees' workweek, from a 52-hour work week to a 56-hour workweek for the period of July 29, 2009 through June 28, 2012. Pursuant to the MOU, the 52-hour work week is restored as of June 13, 2012.

Item: _____
City Council
April 30, 2012

An ordinance has been prepared for authorization by the City Council to amend the Salary Schedule Ordinance No. 12187 to restore the 52-hour workweek of fire suppression line employees in Unit FQ1 effective June 13, 2012. Ordinance No. 12187 C.M.S. establishes salaries and other terms and conditions of City employment. Amendments to the Salary Ordinance, including changes to the salary schedule, are required to keep the Salary Ordinance current.

This Ordinance amends the salary schedule of Ordinance No. 12187 C.M.S. to restore fire suppression line employees from a 56-hour workweek returning to a 52-hour workweek pursuant to a provision in the current Memorandum of Understanding, Article 2.8 - Workweek.

ANALYSIS

The City must implement the agreed terms and conditions of the MOU (Exhibit A). Therefore, the City must restore the 52-hour workweek for these fire suppression line employees effective June 13, 2012.

PUBLIC OUTREACH/INTEREST

This item does not require any additional public outreach other than the required posting on the City's website.

COORDINATION

Coordination will occur between Employee Relations, Budget, Central Payroll and the Oakland Fire Department.

COST SUMMARY/IMPLICATIONS

Restoring the fire suppression line employees to a 52-hour workweek is estimated to cost the City \$5.1 million dollars in FY 2012-2013. This anticipated cost was included in the FY 2012-13 Policy Budget.

SUSTAINABLE OPPORTUNITIES

There are no economic, environmental, or social equity opportunities resulting from this action.

Deanna J. Santana, City Administrator

Subject: Amending the Salary Schedule

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For questions regarding this report, please contact LAWANNA PRESTON, EMPLOYEE RELATIONS DIRECTOR at 238-6466.

Respectfully submitted,



LAWANNA PRESTON
Employee Relations Director

Prepared by:
Trinette Gist Skinner, Principal HR Analyst
Employee Relations

Exhibit A- *Local 55 MOU Article 2.8 – Workweek*
Exhibit B- *Salary Schedule*

Item: _____
City Council
May 1, 2012

Memorandum of Understanding

between

City of Oakland

and

International Association of Firefighters

Local 55



FINAL

July 1, 2008 – June 30, 2012

employment shall be prorated on the basis of service from the date of employment up to and immediately preceding the first full fiscal year. In the event that a bargaining unit member separates from City service, for whatever cause (except in the case of death resulting from on-the-job injury), during the fiscal year for which the annual uniform allowance has been paid, the bargaining unit member's final paycheck shall be adjusted on a pro rata basis in relationship to the period of service in the final fiscal year of employment.

City agrees to issue warrants separate from the bargaining unit member's regular paycheck for the annual uniform allowance.

2.8 Workweek.

Bargaining unit members assigned to the fire suppression line shall work a 52-hour work week.

2.8.1 The parties agree that Section 2.8 will be suspended from July 29, 2009 to June 28, 2012, during which time unit members assigned to the fire suppression line will work a 56-hour work week. Bargaining unit members assigned to the fire suppression line shall return to a 52-hour work week effective June 13, 2012. For payroll administrative purposes, unit members assigned to the fire suppression line will be paid at the 56-hour work week effective August 8, 2009.

2.9 Premium Pay.

2.9.1 Call Back Pay.

Fire suppression Command Officers, including the Department Safety Officer and Public Information Officer, within Bargaining Unit Q who are called back to duty for greater alarm fires shall receive a minimum of four hours' pay when so called, and the time shall commence when such personnel are notified to come back for such duty and shall terminate when they are relieved from such duty.

2.9.2 Overtime Pay.

Fire Department personnel shall be paid time and one-half for all hours worked in excess of their standard workweek.

2.9.2.1 Overtime is defined as all hours assigned and worked in excess of regularly scheduled hours.

2.9.2.2 Overtime shall not include hours worked as a result of voluntary trading of shifts between members of the Department nor overtime caused by the unit member working his or her

Letter of Understanding
between
City of Oakland
and
International Association of Firefighters, Local 55

Regarding Contract Extension

The City of Oakland, ("City") and the International Association of Firefighters, Local 55, ("Union") execute this Letter of Understanding ("LOU") on this 28th day of June, 2011 regarding the extension of the existing Memorandum of Understanding ("MOU").

The City and the Union agree:

1. Except as modified by this LOU, all terms of the MOU shall be extended from June 30, 2012 until June 30, 2014. The concessions in compensation temporarily afforded by the LOU shall be non-precedential and shall not be introduced in any future collective bargaining or interest arbitration, for any purpose, by either party, nor shall any interest arbitrator have the power to rely upon or consider the provisions of this LOU in any future interest arbitration proceeding. The provisions of this LOU shall not be subject to unilateral change in the event the City declares a fiscal emergency.

2. Effective July 1, 2011, the annual base salary for each classification shall be temporarily decreased by 8.85%. Effective June 29, 2014, the annual base salary shall for each classification shall be reinstated to that in effect June 30, 2011. To the extent permitted by the Charter or other applicable law, no changes to PFRS annuitant benefits will result from this reduction in base salary,

i.e., Oakland Fire Department annuitants of the PFRS will suffer no impact to their benefits as a result of this LOU, if permitted by law. The City shall, however, take all appropriate steps to audit the PFRS and to otherwise confirm that all Oakland Fire Department annuitants are receiving the correct amount of annuities and retiree medical premium contributions.

3. Effective July 1, 2011, notwithstanding the language in MOU §6.11.1 et seq., the number of vacation shifts per employee shall be temporarily reduced by two (2) shifts, or equivalent hours for employees working on a 40-hour weekly schedule, until June 30, 2014, when existing vacation entitlements under §6.11.1 et seq. shall be reinstated.

4. Effective July 1, 2012, the City's contribution to the Dental Insurance Fund shall remain at the current level pursuant to §3.2.2 of the MOU, until June 30, 2014.

5. Effective June 13, 2012, bargaining unit members assigned to the fire suppression line shall work a 52-hour work week.

6. For the period of July 1, 2012 through June 30, 2014, the provisions of MOU §4.2.2 and Appendix F shall be modified as follows:

- a. Effective July 1, 2012 the City shall be permitted to brownout two companies from service, on an equal rotating basis, consistent with operational necessity (e.g., seasonal needs).
- b. For any company closed, the number of companies out of service per MOU §4.2.4 shall be reduced by one.
- c. The provisions of MOU §4.2.2 and Appendix F shall reinstate in full force and effect on June 30, 2014 except that the Letter of Understanding set forth therein shall be extended until June 30, 2017.

7. Notwithstanding the language in MOU §9.5, the City shall amend its contract with the Public Employees' Retirement System ("PERS") to provide the 3% at age 55 retirement plan for each bargaining unit member first employed on and after July 1, 2011. Further, for bargaining unit members first employed on and after July 1, 2011, the City shall amend its PERS contract to provide for the calculation of pension benefits based on the final average salary of three years under Government Code §20037.

8. The Union shall participate, in a manner determined by the City Administrator, in the interview process for the next Fire Chief of the Oakland Fire Department.

9. Effective January 1, 2012, the City shall use CPAT qualifying examinations to reduce hiring selection costs, unless the CPAT examination is not validated for use in Oakland.

10. Effective July 1, 2011, the City and Union shall form a joint labor-management committee for the purpose of reporting back to each party, no later than April 30, 2012, on the feasibility and costs of contracting out services currently performed in the City of Oakland Fire Department to the Alameda County Fire Department.

11. The City shall not sponsor, nor shall it endorse or support any ballot measure to eliminate existing provisions of City Charter §910, as it applies to firefighters, for the effective term of this LOU and the MOU.

12. This LOU shall not become nor remain effective until (a) the City obtains concessions during Fiscal Years 2011-2012 and 2012-2013 from all other bargaining unit representatives in the City in amounts equivalent to the percentage savings to the costs of the Union's bargaining unit as provided by paragraph 2 above and (b) the membership of the Union and the City Council ratify the LOU by majority vote. The MOU shall reopen fiscal year 2013-2014 in the event that other sworn bargaining units do not provide the equivalent percentage savings to costs otherwise provided by this LOU.

Dated: June 28, 2011. IAFF LOCAL 55



By Charles Garcia, President

Dated: June 28, 2011

CITY OF OAKLAND

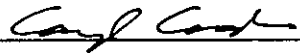


Dan Lindheim, Principal Negotiator

EXHIBIT B

REP UNIT	JOB CLASS CODE	JOB CLASS NAME	STEP	MONTHLY RATE EFFECTIVE 6/13/12	GRADE NAME	HRS
FQ1	PS146	Inspector, Fire Prevention Bureau	1	9373.72	FQ1.104.006	104
FQ1	PS125	Fire Fighter	1	6395.5	FQ1.112.001	104
			2	6816.14	FQ1.112.001	104
			3	7227.55	FQ1.112.001	104
			4	7625.18	FQ1.112.001	104
			5	7892.28	FQ1.112.001	104
			5	8165.55	FQ1.112.001	104
			7	8415.77	FQ1.112.001	104
			8	10598.79	FQ1.112.001	104
FQ1	PS127	Fire Fighter	1	6863.73	FQ1.112.002	104
			2	7625.18	FQ1.112.002	104
			3	7892.28	FQ1.112.002	104
			4	8165.55	FQ1.112.002	104
			5	8415.77	FQ1.112.002	104
FQ1	PS126	Fire Fighter	1	7625.18	FQ1.112.003	104
			2	7892.28	FQ1.112.003	104
			3	8165.55	FQ1.112.003	104
			4	8415.77	FQ1.112.003	104
FQ1	PS133	Fire Fighter, Relief	1	8415.77	FQ1.112.004	104
FQ1	PS118	Engineer of Fire Department	1	9163.4	FQ1.112.005	104
FQ1	PS134	Fire Fighter/Fire Boat Engineer	1	9803.57	FQ1.112.008	104
FQ1	PS150	Lieutenant of Fire Department	1	9803.57	FQ1.112.008	104
FQ1	PS136	Fire Fighter/Fire Boat Operator	1	9803.57	FQ1.112.008	104
FQ1	PS153	Lieutenant, Fire Prevention Bureau	1	10245.7	FQ1.112.011	104
FQ1	PS103	Captain of Fire Department	1	10598.79	FQ1.112.014	104
FQ1	PS102	Battalion Chief	1	12748.02	FQ1.112.017	104
FQ1	EM169	Fire Marshall	1	13620	FQ1.112.018	104
FQ1	PS181	Fire Investigator	1	9653.11	FQ1.112.021	104
FQ1	PS184	Fire Fighter Paramedic	1	7659.55	FQ1.112.022	104
			2	8070.14	FQ1.112.022	104
			3	8468.09	FQ1.112.022	104
			4	8734.36	FQ1.112.022	104
			5	9009.1	FQ1.112.022	104
			6	9256.67	FQ1.112.022	104

INTRODUCED BY COUNCILMEMBER _____



City Attorney

OFFICE OF THE CITY CLERK
OAKLAND

12 APR 18 PM 1:49

OAKLAND CITY COUNCIL

ORDINANCE NO. _____ C.M.S.

AN ORDINANCE AMENDING THE SALARY SCHEDULE OF ORDINANCE 12187 C.M.S (THE SALARY ORDINANCE) TO RESTORE A 52-HOUR WORKWEEK TO FIRE SUPPRESSION LINE EMPLOYEES IN UNIT FQ1 EFFECTIVE JUNE 13, 2012

WHEREAS, the International Association of Firefighters agreed to save City funds through a temporary concession of fire line suppression employees' working an increased workweek, from a 52-hour work week to a 56-hour workweek, for the period of July 29, 2009 through June 28, 2012; and

WHEREAS, pursuant to the memorandum of Understanding this provision ends effective as of June 13, 2012; and

WHEREAS, the said agreement was approved by the City Council; and

WHEREAS, the terms and conditions contained in said Memorandum of Understanding are in the best interests of the City, now, therefore

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

Section 1. Standard bi-weekly work hours for job classifications in pay grade tables FQ1 (Exhibit B) shall be decreased from 112 hours to 104 hours effective June 13, 2012.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF, and PRESIDENT REID

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

DATE OF ATTESTATION: _____