

AGENDA



Thursday, July 23, 2009

Police
RECOMMENDATION FOR COUNCIL ACTION

Item No. 56

Subject: Approve a resolution ratifying Amendments to the Meet and Confer Agreement between the City of Austin and the Austin Police Association relating to wages, hours, and terms and conditions of employment for Austin Police Officers, that was ratified by the Austin City Council on September 25, 2008 and became effective on October 1, 2008. Related to Item #114.

Fiscal Note: There is no unanticipated fiscal impact. A fiscal note is not required.

For More Information: Art Acevedo, Chief of Police/974-5030.

Prior Council Action: Ratification of contract on September 25, 2008.

In 1995, the Texas Legislature amended state Civil Service law to allow the City of Austin to negotiate and enter into written agreements with firefighters and police officers regarding wages, salaries, rates of pay, hours of work, other terms and conditions of employment or other personnel issues. An agreement reached through this "Meet and Confer" process supersedes any contrary statute, local ordinance, policy, or rule adopted by the State, City, or Civil Service Commission.

On September 25, 2008, the Austin City Council ratified the Meet and Confer Agreement that had been previously ratified by a majority of the membership of the Austin Police Association. In light of the current economic conditions faced by the City and its citizens, the Association and the City agreed to negotiation for amendments to the current Agreement. As a result of those negotiations, the Association's bargaining team agreed to certain changes to the Agreement, as outlined below. The Association anticipates that its membership vote on the amendments will be completed on July 22, 2009. In anticipation that the membership will approve the amendments to the Agreement, the Police Department is submitting the amendments to the Agreement for ratification by Council, as required by the Texas Local Government Code. The amendments to the Agreement achieve key City goals and provide pay enhancements while staying within the City current financial constraints.

Key Amendments

- Term of Agreement

The amendments to the Meet and Confer Agreement are effective on the date the Council ratifies the amendments.

The City is exercising its option for a fourth year (2011-2012) and extending the contract for an additional year (2012-2013).

The Meet and Confer Agreement ratified on September 25, 2008, and the Amendments ratified by this Resolution, expire on September 30, 2013. • Economic Provisions:

Base Pay increases:

No base wage increase for 2009-2010.

2010-2011 base wage increase of 3.00%.

The City is exercising the option Year of 2011-2012 with a base wage increase of 3.00% but if majority of non-public safety employees receive a base wage increase more than 3.00%, officers would receive the same.

The City is extending the contract for an additional year (2012-2013) with a base wage increase of 3.00% but if a majority of non-public safety employees receive a base wage increase of more than 3.00%, officers would receive the same.

Retirement Contributions:

2011-2012 increase in the City contribution rate to the Austin Police Retirement System by 1.0%.

2012-2013 increase in the City contribution rate to the Austin Police Retirement System by 1.0%.

Projected Budgeted Cost:

2009-2010: 0.6 million * 2010-2011: 6.7 million * 2011-2012: 12.9 million * 2012-2013: 19.1 million *
Total projected budgeted cost of amended agreement - \$39.3 million • Leave Provisions:

Specifically prohibits the City from furloughing civil service employees for the purpose of reducing base wages by reducing officers' normal work hours. • Sick Leave Terminal Pay:

Effective January 1, 2011, increases the sick leave payout to officers leaving APD for reasons other indefinite suspension or resignation in lieu of indefinite suspension from 1400 to 1700 hours provided that the officer does not use more than 80 hours of sick leave in either of the two prior twelve month period before the date of separation, and no more than 120 hours cumulative in the prior 24 month period before the date of separation. The Chief may allow hardship exceptions beyond the hour limitations. • Disciplinary Appeals:

The parties will make a good faith effort to schedule the appeal of an indefinite suspension within 90-180 days of the effective date of that suspension.

• Adjustments to Work Schedules:

In the event of a proposed adjustment to work schedules that would have a significant impact upon the working conditions (hours of work or days off) of an organizational component of APD (such as a shift, unit, or division), provides for advance notice to the Association President in order that he has the opportunity to meet with APD management to discuss the proposed work schedule adjustment. The final decision to implement the proposed adjustment rests with the Chief of Police. This notice requirement does not apply to emergency situations, unforeseen events, staffing shortages, emerging crime trends, or units that by their function work varied hours. • Policy Revisions:

In the event of a proposed adjustment to policies or procedures which differ or vary between units or divisions within APD, provides for advance notice to the Association President in order that he has the opportunity to meet with APD management to discuss the proposed adjustment. The final decision to implement the proposed adjustment rests with the Chief of Police. This notice requirement does not apply to emergency situations, unforeseen events, staffing shortages, or emerging crime trends.