

## A G E N D A



## Recommendation for Council Action

Austin City Council

Item ID

75407

Agenda Number

18.

Meeting Date:

9/28/2017

Department:

Austin Fire Department

## Subject

Approve a resolution ratifying the collective bargaining agreement between the City and the Austin Firefighters Association relating to wages, hours, and terms and conditions of employment for Austin firefighters.

## Amount and Source of Funding

## Fiscal Note

Purchasing Language:

Prior Council Action:

For More Information:

Council Committee,  
Boards and  
Commission Action:

MBE / WBE:

Related Items:

## Additional Backup Information

In May 2014, Austin voters approved collective bargaining rights for firefighters under the provisions of Texas Local Government Code, Chapter 174. On September 30, 2017, the current Collective Bargaining Agreement (CBA) will expire. Beginning in June 2017, the City and the Austin Firefighters Association (AFA) Local 975 entered into negotiations for a successor CBA. On September 7, 2017, the City and the AFA reached consensus on a tentative agreement for a successor CBA, which if ratified by a majority of the Association membership and City Council, will take effect on October 1, 2017 for a five (5) year period and will be effective through September 30, 2022.

The AFA membership is expected to take a vote on the proposed CBA on September 19-21, 2017. In the event that membership approves the proposed CBA, the Fire Department is submitting the proposed CBA for ratification by Council, as required by the Texas Local Government Code.

The CBA contains strategic changes that enhance operations, including these Key Provisions:

Comprehensive terms that address the Council Resolution and allow the City to continue to comply with the Department of Justice (DOJ) consent decree.

Hiring:

Retains current hiring process including DOJ consent decree provisions. Allows the Department to select applicants from the hiring eligibility list that are currently certified by the Texas Commission on Fire Protection and National Registry of Emergency Medical Technicians for placement in a 14 week fire academy rather than the traditional 28

week fire academy.

Retains City's ability to merge with a Travis County Emergency Services District and establishes the selection criteria for hiring ESD firefighters as City firefighters

Promotional Process:

Retains the authority of the Fire Chief to use an Assessment Center process for promotions to Battalion Chief and Captain. Retains the authority of the Fire Chief to appoint Assistant Chiefs and Division Chiefs with specific qualifying criteria. Retains a standard schedule for promotional testing and retains the option to extend the life of the promotional eligibility list to twenty-four (24 months).

Drug Testing:

Continues random drug testing, post-accident drug testing, and reasonable suspicion drug testing.

Disciplinary Actions:

For certain disciplinary actions, the proposed CBA continues to provide an option for the use of accrued leave to cover all or part of the suspension with no right to appeal. Expands firefighters access to otherwise confidential investigative records under State Civil Service Law by extending the amount of time to review the investigative file prior to a disciplinary hearing from 4 hours to 8 hours and allows for a firefighter to provide a written rebuttal as part of the investigative file.

Term of Agreement:

Agreement to be effective on October 1, 2017 and continue through September 30, 2022.

ECONOMIC PROVISIONS:

Base Pay Increases:

FY 2017-18:	.25 % increase
FY 2018-19:	.50% increase
FY 2019-20:	1.0% increase
FY 2020-21:	2.0% increase
FY 2021-22:	2.5% increase

Retains Step Pay Increases

Additional Pays:

Longevity Pay: Remains at \$100 per year of service up to 25 years.

Bilingual Pay: Remains at \$175 per month

Staff Schedule Pay: Remains at \$450 per month for staff assignments less than 2 years and remains at \$600 per month for staff assignments over 2 years

Kelly Shifts: Retains \$300 for working a Kelly Shift resulting in a firefighter only receiving straight time after his schedule is changed by the Department rather than his/her overtime rate.

Overtime:

Use of approved vacation leave is no longer considered productive time for overtime calculation purposes.

Vacation/Sick Leave Buyback:

Creates a vacation/sick leave buyback program that allows a firefighter to sell back to the City at a lower hourly rate his/her accrued vacation/sick leave up to a maximum of 24 hours every 6 months, with a maximum total program payout by the City of \$500,000 the first year of the CBA. The City Manager has the right to continue the program during subsequent years.

BUDGET COST:

FY 2017-18: (\$310,000)

FY 2018-19: \$870,000

FY 2019-20: \$2,040,000

FY 2020-21: \$4,410,000

FY 2021-22: \$7,420,000

Total Contract Cost: \$14,430,000