



MIAMI BEACH

OFFICE OF THE CITY MANAGER

NO. LTC # 260-2012

LETTER TO COMMISSION

TO: Mayor Matti Herrera Bower and Members of the City Commission

FROM: Kathie G. Brooks, Interim City Manager

DATE: October 11, 2012

SUBJECT: **Status Update on Collective Bargaining with the Communications Workers of America, Local 3178 (CWA)**

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The purpose of this Letter to Commission (LTC) is to provide the Commission an update on the status of collective bargaining between the City and the Communications Workers of America, Local 3178 (CWA). By way of background, on September 30, 2012, the CWA collective bargaining agreement expired. In anticipation of the contract expiration, on July 26, 2012, the City noticed the Union in writing expressing the intent to begin the collective bargaining process for a successor agreement.

On September 12, 2012, members from the CWA approached the Commission during the first budget hearing to discuss the elimination of Longevity Pay and Emergency Medical Technician (EMT) pay that was set to expire of September 30, 2012, which was previously negotiated in the 2009-2012 CWA Collective Bargaining Agreement. According to the Union, the elimination of these two incentive pays would impact eligible lifeguards by a 16% reduction in pay, and therefore, requested that the City agree to stay these two provisions from being eliminated while the City and the Union negotiate a successor collective bargaining agreement. Although the Commission did not agree to the Union's request to amend the current collective bargaining agreement, the Union was encouraged to begin negotiations with the City as soon as possible and to propose alternative cost savings in lieu of the elimination of these two incentive pays.

On September 25, 2012, CWA President Richard McKinnon submitted a letter to me advising that the Union had changed the composition of its bargaining team to include five (5) separate sections each made of up five (5) individual bargaining team members (for a total of 25 bargaining team members). The sections are as follows: Section 1 – Police Department; Section 2 – Public Works, Section 3 – Clericals and Pool Guards; Section 4 – Code Enforcement and Parking Department; and Section 5 – Ocean Rescue Division. The City advised the Union that this new approach will delay the negotiation process and recommended that representatives from all areas covered by CWA be represented at all of the negotiation sessions. Although the Union recognized that this approach would be more time consuming, they expressed that they preferred to rotate each of their bargaining team sections in an effort to better represent the interests of all of their members. In addition, Mr. McKinnon again raised the issue of the elimination of longevity pay and EMT pay. In my response dated September 26, 2012, I advised that the City could not agree to the Union's proposal to delay the implementation of the elimination of Longevity Pay and EMT pay; however, the City was certainly agreeable to negotiate these issues along with other salary issues during negotiations.

In order to try and address the impacts of EMT and Longevity pay as soon as possible, the City offered to meet on the following dates:

- October 4, 2012
- October 5, 2012
- October 11, 2012
- October 12, 2012
- October 15, 2012
- October 16, 2012
- October 17, 2012
- October 18, 2012
- October 19, 2012

To date, the City and the CWA have held negotiation sessions with three of the five CWA Negotiation Sections (Section 5 - Ocean Rescue on September 26, 2012, and Section 3 – Clerical and Pool Guards and Section 4 – Parking Enforcement and Code Compliance on October 4, 2012); however, the majority of items being proposed by the Union for these 3 Sections would incur increased costs to the City.

Failing to reach the point of any discussions of a comprehensive economic package to date, Longevity Pay and EMT Certification Pay discontinued for CWA members effective September 30, 2012, and will be partially reflected in the October 12, 2012 paychecks for those employees who are impacted. Based on the payroll period ending on October 7, 2012, approximately 54 CWA employees will see a reduction in their paycheck applicable for one week (September 30, 2012 through October 7, 2012) attributed to the elimination of these two incentive pays. Of these 54 employees, approximately 68.5% will experience an impact of 5% or less for this payroll period, with 41% of these employees experiencing an impact of 2.5% or less for this payroll period.

The City's negotiation team is working diligently and is available to meet with the CWA as often as possible in order to conclude the negotiations process quickly. The negotiation teams are scheduled to meet again tomorrow, October 12, 2012. Additional negotiations sessions are tentatively scheduled for October 16, 18 and 19.

Should you have any questions or concerns, please feel free to contact me.

KGB/CMG