



Legislation Text

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IMPASSE RESOLUTION WITH GATOR LODGE 67, INC., FRATERNAL ORDER OF POLICE (B)

The City Commission receive written update from the City Attorney regarding the impasse resolution process with Gator Lodge 67, Inc., Fraternal Order of Police.

Collective bargaining negotiations between the City of Gainesville and Gator Lodge 67, Inc., Fraternal Order of Police (FOP) have reached an impasse. On May 16, 2017, the FOP made a request to the Public Employees Relations Commission (PERC) for an appointment of a special magistrate to begin the impasse resolution process pursuant to Section 447.403(2)(a), Florida Statutes.

Once PERC appoints a special magistrate, the special magistrate will hold hearings to define the areas of dispute, determine facts relating to the dispute, and render a decision on any and all unresolved contract issues. Within 15 days after the close of the final hearing, the special magistrate is required to issue a recommended decision to PERC and the parties. Each recommendation of the special magistrate is deemed approved by both parties unless specifically rejected in writing by either party within 20 days after the party received the recommended decision.

If either party does not accept, in whole or in part, the recommended decision of the special magistrate, the City Manager will submit a copy of the special magistrate's findings of fact and recommended decision to the City Commission within 10 days after the rejection. The parties are required to submit their recommendations for settling the disputed impasse issues to the City Commission. The City Commission is then required to conduct a public hearing at which the parties must explain their positions with respect to the rejected recommendations of the special magistrate. Thereafter, the City Commission must take such action as it deems to be in the public interest, including the interest of the public employees involved, to resolve all disputed impasse issues.

Following the resolution of the disputed impasse issues by the City Commission, the parties must reduce to writing an agreement which includes those issues agreed to by the parties and those disputed impasse issues resolved by City Commission's action. The agreement must be signed by the City Manager and FOP's bargaining agent and submitted to the City Commission and FOP members for ratification. If such agreement is not ratified by all parties, the City Commission's action shall take effect as of the date of such action for the remainder of the first fiscal year which was the subject of negotiations; however, the City Commission's action shall not take effect with respect to those disputed impasse issues which establish the language of contractual provisions which could have no effect in the absence of a ratified agreement, including, but not limited to, preambles, recognition clauses, and duration clauses.