



Legislation Text

File #: 180328., Version: 1

Public Hearing to resolve all disputed issues at impasse between the City of Gainesville and Gator Lodge #67 Fraternal Order of Police (FOP) (B)

The City Commission: a) hold a public hearing on all matters at impasse; and b) take such action as deemed to be in the public interest, including the interest of the public employees involved, to resolve the disputed impasse issues.

In October 2016, the FOP and City Management began negotiating for a successor collective bargaining agreement for the ranks of officer, corporal and sergeant. The parties were unable to reach agreement on five articles and in May 2017, the FOP declared impasse. In order to resolve the impasse, the parties must follow the process and requirements set forth in Section 447.403, Florida Statutes.

A hearing was held before a Special Magistrate whose role was to make recommendations on the issues in dispute. The hearing was held on October 24, 2017 and the Special Magistrate issued his recommendations on May 2, 2018. After receipt of the Special Magistrate's recommendations, both parties filed partial rejections. As a result, the remaining disputed impasse issues (which, in this case, involve Article 11- Hours of Work, Article 14-Premium Pay, Article 19 - Miscellaneous Employee Benefits and Article 29 - Wages) must be resolved by the City Commission at a public hearing held for that purpose.

By correspondence dated June 4, 2018, each party provided the City Commission with its recommendations for settling the remaining disputed impasse issues. A copy of the correspondence from each party is attached as back-up to this agenda item.

At this public hearing, the City Commission is required to sit as a neutral decision-making body, hear City Management and the FOP explain their recommendations with respect to resolving the remaining disputed impasse issues, hear public comment and then take such action as the Commission deems to be in the public interest, including the interest of the public employees involved, to resolve the remaining disputed impasse issues.

The following is the suggested schedule for this public hearing, but may be modified by the City Commission, giving equal time to each party:

1:30pm: Call to Order, adoption of the agenda and brief explanation by City Attorney
1:35 - 3:05 (90 minutes): City Management presents case
3:05 - 4:35 (90 minutes): FOP presents case
4:35 - 5:00 (25 minutes): City Management rebuttal
5:00 -5:25 (25 minutes): FOP rebuttal
5:25 - 6:30: Dinner break
6:30: Public comment, then Commission deliberation and decision

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 the City Commission. 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 each 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.