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Agenda Item: 9:45 A.M.-A

Date: 6/26/14

CITY CLERK, FRESNO CA **FRESNO CITY COUNCIL**



## Supplemental Information Packet

Agenda Related Items – 9:45 A.M. - A  
Supplemental Packet Date: June 25, 2014

### Item(s)

Adopt the fiscal year 2015 Salary Resolution:

**RESOLUTION** – Establishing rules for the application of City employee compensation rates and schedules and related requirements, and establishing compensation rates and schedules for fiscal year 2015

#### **Supplemental Information:**

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed. The Supplemental Packet is available for public inspection in the City Clerk's Office, 2600 Fresno Street, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2)). In addition, Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2600 Fresno Street. Supplemental Packets are also available on-line on the City Clerk's website.

#### **Americans with Disabilities Act (ADA):**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.

RECEIVED  
*Fresno City Employees Association, Inc.*

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CITY CLERK, FRESNO CA



June 25, 2014

Fresno City Council Members  
2600 Fresno Street  
Fresno, California 93721-3600

RE: June 26, 2014 City Council Agenda Item 9:45AM A. - FY2015 Salary Resolution

Dear City Council Members:

The Fresno City Employees Association respectfully asks that you vote to amend Sections 8, 11, 12, 19, and 23 of the proposed Fiscal Year 2015 Salary Resolution or direct city staff to negotiate a restoration of the benefit concessions made by labor groups. The FY2015 Salary Resolution should reflect the same concessions for the non-represented employees in Unit 2 or benefits should be restored to the employees represented by CFMEA, Local 39, and IBEW.

The Fresno City Employees Association believes the current proposed Fiscal Year 2015 Salary Resolution sends an inconsistent message to represented employees regarding the City's need and desire to attain long-term fiscal stability. This demonstration of the Executive Management's value system that segregates unrepresented employees from those that have given for the past five years yet continue to work tirelessly to provide essential services to the citizens of the City of Fresno is unnecessary.

We also believe the proposed changes to the salary range of the non-represented job classifications listed in Exhibit 2 of the proposed Fiscal Year 2015 Salary Resolution damage employee morale and hinder current negotiations with bargaining groups. It is difficult for employees to accept the loss of wages and benefits when non-represented employees will be eligible for salary increases of 5 percent to 27.8 percent during the next year or two.

During negotiations with labor groups city representatives have made repeated claims that the city is still struggling financially and that the city expects ALL employees to make concessions that will assist with long term sustainability. The proposed FY2015 Salary Resolution makes it clear that management is only expecting concessions from employees represented by a recognized bargaining group.

Please amend the FY2015 Salary Resolution Sections listed below or direct staff to negotiate the restoration of benefits to the affected bargaining groups.

FY2015 Salary Resolution Section 8 – Administrative Leave

Unrepresented employees listed in Exhibit 2 will continue to receive 60 hours of Administrative Leave on July 1 and may be granted up to an additional 32 hours of administrative leave each year based on annual job performance.

However, the CFMEA MOU approved on 12/12/2013 reduced their Administrative Leave. CFMEA members now accrue 48 hours on July 1 and can no longer be granted up to an additional 32 hours based on job performance. Local 39 and IBEW are not eligible for administrative leave.

FY2015 Salary Resolution Section 11 – Holidays

Unrepresented employees listed in Exhibit 2 of the Salary Resolution will continue to accrue 8 hours holiday leave on January 1 and 8 hours on July 1 of each calendar year in lieu of February 12th (Lincoln's Birthday) and September 9th (Admissions Day).

However, CFMEA, Local 39, and IBEW no longer accrue 8 hours of holiday leave on January 1 and July 1 of each year due to contract concessions. All labor groups have been advised that the city is moving to reduce the number of holiday hours.

FY2015 Salary Resolution Section 12 – Supplemental Sick Leave

Unrepresented employees listed in Exhibit 2 of the Salary Resolution will continue to accrue 40 hours of supplemental sick leave on July 1.

However, CFMEA members will no longer accrue supplemental sick leave based on the MOU approved on 12/12/2013. Local 39 and IBEW never had this benefit.

FY2015 Salary Resolution Section 19 – Health and Welfare benefits

The City will continue to contribute 80 percent of the premium established by the Fresno City employees Health and Welfare Trust Board for all full time permanent employees occupying the non-represented classes listed in Exhibit 2.

However, the city will now be contributing only 75 percent of the premium for members of CFMEA, Local 39, and IBEW. Plus the city will only cover 50% of any future premium increases.

FY2015 Salary Resolution Section 23 – Workers Compensation

Unrepresented employees listed in Exhibit 2 of the Salary Resolution who sustain an injury or illness in the course and scope of City employment will continue to receive 76 percent of full wages and salary from the City.

Letter to Council Members

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However, members of CFMEA, Local 39, and IBEW now receive 66.67 percent of their earnings when they sustain an injury or illness in the course and scope of City employment.

During the past 5 years our City has experienced some very difficult financial challenges and employees have been asked to sacrifice in order to help our city survive the fiscal crisis. It is true that some have sacrificed more than others, but every employee has been impacted by the tough times and the bargaining groups have made various concessions to help the city.

The Fresno City Employees Association has worked tirelessly to partner with the city and serve the citizens. Our members voluntarily took a 3% salary reduction in FY2012 and a 2% salary reduction in FY2013. The salary concessions were on top of the 2% furlough deduction taken during calendar years 2010, 2011, and 2012. Our members are dedicated public servants that have been willing to make sacrifices. However, the proposed FY2015 Salary Resolution will make current negotiations more difficult.

Please reassure the employees that their dedication and service to the citizens of Fresno is appreciated by either voting to amend the FY2015 Salary Resolution or by directing staff to negotiate a restoration of lost benefits to the affected bargaining groups.

Sincerely,



Dee Barnes  
FCEA President

Attachments

## Language for Unit 2 in the Proposed FY2015 Salary Resolution

### SECTION 8. - ADMINISTRATIVE LEAVE FOR EMPLOYEES IN EXHIBIT 2 (pages 7 & 8)

- A. Full time employees permanently appointed to positions in classes, which are included in Exhibit 2 who are not entitled to payment for, or equivalent compensatory time off for *overtime* work (as described in Section 4.), shall be granted administrative leave, or as may be provided below. A balance of 60 hours shall be credited to each such employee as of the first day in July of each fiscal year. Upon their employment by the City, new employees appointed in such positions shall be credited with *five* (5) hours of administrative leave for each full calendar month remaining in such appointment in the fiscal year. Employees in limited or provisional appointments to such positions shall receive five (5) hours of administrative *leave* for each full month of such provisional or limited appointment.

Administrative leave not taken during the fiscal year in which it is credited shall not be added to the leave credited in the next fiscal year, but an employee may receive payment during the fiscal year for any administrative leave not taken, subject to rules established by the City Manager.

Administrative leave shall be scheduled at the convenience of the department. Approval by the City Manager or his/her designee must be obtained before an appointing authority may take such leave.

- B. An appointing authority, with the approval of the City Manager, may grant up to an additional 32 hours administrative leave each year to full time exempt employees in Exhibit 2 based on annual job performance.
1. The determination by the department director to grant the additional administrative leave shall be made at the time the annual performance evaluation is completed, and credited the following July 1. Any such additional administrative leave must be used within the fiscal year in which it was credited and cannot be cashed in by employees.
  2. For employees in Exhibit 2 earned, but uncredited additional administrative leave shall be paid to an employee at the time of separation from employment with the City.

### SECTION 11. - HOLIDAYS FOR EMPLOYEES IN EXHIBIT 2 (page 12)

- A. All employees in classes or positions listed in Exhibit 2 shall be entitled to the holidays listed in FMC Section 3-116 except that, in lieu of February 12 (Lincoln's Birthday) and September 9 (Admissions Day), such employees shall accrue eight (8) hours holiday leave on January 1 and eight (8) hours holiday leave on July 1 of each calendar year. Employees may request payment and be compensated for up to 48 hours or 25 percent of their holiday leave balance, whichever is greater, each fiscal year, and for any balances upon separation from City service.

Any employee in Exhibit 2 who is exempt from the payment of overtime and who is otherwise eligible to receive such accumulation, who is required to work a regularly scheduled shift on a holiday, shall have the number of hours worked up to eight (8) hours added to his or her holiday balance on the first day of the pay period following the date of such work. When a holiday falls on Saturday, or falls on the employee's day off if the

employee does not work a Monday through Friday schedule, such employee shall receive eight (8) hours holiday leave. If such employee is required to and does work on his or her birthday, or his or her birthday falls on a holiday or any regular day off, the number of hours worked up to eight (8) hours shall be credited to the employee's holiday leave balance on the first day of the pay period following his or her birthday.

**SECTION 12. - SUPPLEMENTAL SICK LEAVE FOR EMPLOYEES IN EXHIBIT 2 (page 12)**

Each July 1, Non-Represented management employees in positions/classifications set forth in Exhibit 2 shall receive 40 hours of supplemental sick leave. Upon their employment by the City, new employees appointed to such positions shall be credited with a pro-rated number of hours for each full calendar month remaining on such appointment in the fiscal year. Employees in a Non-Represented management status may utilize the hours: (1) once regular sick or annual leave has been exhausted; (2) as service credit on an hour-per-hour basis upon retirement; (3) to be cashed out at retirement or separation from permanent status with the City if not eligible for participation in the HRA; (4) may be used in the performance of community activities during the course of the employee's normal work day, with the appropriate approval; (5) placed in a HRA in accordance with Section 20(0); or (6) up to 20 hours per fiscal year for Family Sick Leave used only for those purposes defined in the California Labor Code. Use of Family Sick Leave shall be authorized and recorded by the department director or designee.

**SECTION 19. BENEFITS FOR FULL-TIME PERMANENT EMPLOYEES OCCUPYING CLASSES IN EXHIBIT 2- NON-REPRESENTED CLASSES (on page 15)**

- A. The City's contribution is 80 percent of the premium established by the Fresno City Employees Health and Welfare Trust Board, and the employee may opt to contribute the amount necessary to make up the difference through payroll deductions, or accept a reduced coverage option.
- B. Benefits, including City contributions to deferred compensation, vehicle allowance, relocation expenses, and other such negotiated items, shall not be calculated as part of the base salary or salary ranges.
- C. Pay for performance bonuses for exempt employees shall be considered pensionable compensation for calculation at retirement benefits, but shall not be included as part of the base salary or salary ranges.

**SECTION 23. - SALARIES FOR EMPLOYEES IN EXHIBIT 2 WHILE ABSENT DUE TO INJURY IN THE LINE OF DUTY (on page 15)**

Notwithstanding the provisions of FMC Section 3-118, an employee in the unrepresented management group who sustains an injury or illness in the course and scope of City employment shall receive 76 percent of full wages and salary from the City, beginning on the fourth calendar day of such absence and continuing thereafter, unless hospitalized on the first day for at least 24 hours or unless the absence exceeds 14 calendar days, in which case the employee shall receive the 76 percent (76%) from the first day. At the employee's option, in the event that pay from the City is not provided during the first three (3) days of absence due to injury, the employee may take frozen sick leave for that period. Except as modified herein, the provisions of FMC Section 3-118 shall apply.

## Health & Welfare language for represented employees:

### Local 39 MOU

Should any other represented bargaining unit in the City negotiate a successor MOU, or extend the period of an MOU, or have terms imposed resulting in a greater contribution by the City, upon the Union's request, the City will match that benefit.

### CFMEA MOU

Should any other represented bargaining unit in the City receive a greater contribution towards health benefits from the City, either through negotiation of a successor MOU, extension of the period of an MOU, or imposition of terms, resulting in a contribution by the City which is a percentage of the health premium as opposed to a flat contribution rate, the City and the Association will meet and confer with the goal of providing an equivalent benefit.

Changes for FY2015

EXHIBIT 2								
Unit 2 - Non-Represented Management and Confidential Classes								
CLASS TITLE	JOB CODE	PROB PER	RANGE	A	B	C	D	E
Airport Public Safety Manager	310004e	-	E7 <sup>3</sup>		<del>2840</del> 6905	-	8834 9717	+10%
Assistant City Attorney	160008e	-	E4 <sup>2</sup>		4809 8970	-	12621	
Assistant City Manager	150135e <sup>7</sup>	-	E2 <sup>+</sup>		6006 12590	-	14847 17625	+18.7%
Assistant Controller	135020e	-	E4 <sup>2</sup>		4809 8970	-	12621	
Assistant Director	150160e	-	E4 <sup>2</sup>		4809 8970	-	12621	
Assistant Director of Personnel Services	150043e	-	E4 <sup>2</sup>		4809 8970	-	12621	
Assistant Director of Public Utilities	620100e	-	E4 <sup>2</sup>		4809 8970	-	12621	
Assistant Director of Public Works	210089e	-	E4 <sup>2</sup>		4809 8970	-	12621	
Assistant Police Chief	415010e	-	E4 <sup>2</sup>		4809 8970	-	12621	
Assistant Retirement Administrator	135040e	-	E7 <sup>3</sup>		<del>2840</del> 6905	-	8834 9717	+10%
Budget Analyst	135006e	12	E11		<del>2840</del> 3830	-	5133 5390	+5%
Budget Manager	135008e	-	E4 <sup>2</sup>		4809 8970	-	12621	
Chief Assistant City Attorney	160015e	-	E3 <sup>+</sup>		6006 10946	-	13367 15325	+14.65%
Chief Information Officer	125067e	-	E3 <sup>+</sup>		6006 10946	-	13367 15325	+14.65%
Chief of Staff to the Mayor	150123e	-	E7 <sup>3</sup>		<del>2840</del> 6905	-	8834 9717	+10%
City Attorney	160009e	-		10892	<del>130,713</del>	<del>159,000</del>	15,750	
City Attorney	160009e	=	E1		14475	=	20270	+28.7%
City Clerk	150125e	-	E6		<del>5250</del> 7984	-	11235	
City Engineer	210080e	-	E3 <sup>+</sup>		6006 10946	-	13367 15325	+14.65%
City Manager	150130e	-		10,892	<del>130,713</del>	<del>159,000</del>	15,750	
City Manager	150130e	=	E1		14475	=	20270	+28.7%

Changes for FY2015

Community Coordinator	150075c	-	E11 <del>3</del>		<del>2840</del> 3830	-	8834 5390	↓
Community Outreach Specialist	150230c	-	E11		<del>2840</del> 3830	-	8834 5390	↓
Controller	135021e	-	E3+		6006 10946	-	13367 15325	+14,658
Council Assistant	150085e	-	E2		2840	-	8834	
Deputy City Attorney II	160006e	-	E3 <del>10</del>		<del>2840</del> 5714	-	8834 8000	↓
Deputy City Attorney III	160007e	-	E9 <del>3</del>		<del>2840</del> 5000	-	8834	
Deputy City Manager	150140e	-	E7 <del>3</del>		<del>2840</del> 6905	-	8834 9717	+ 108
Director	150170c	-	E3+		6006 10946	-	13367 15325	+14,658
Director of Aviation	310045c	-	E3+		6006 10946	-	13367 15325	+14,658
Director of Development	220020c	-	E3+		6006 10946	-	13367 15325	+14,658

2-10-14 Third Council Amendment

Supersedes Original

e Exempt class. see Narrative Section 4.

Changes for FY2015

EXHIBIT 2								
Unit 2 - Non-Represented Management and Confidential Classes								
CLASS TITLE	JOB CODE	PROB PER	RANGE	A	B	C	D	E
Director of Personnel Services	150042e	-	E3+		6006 10946	-	43367 15325	+14.05%
Director of Public Utilities	620101e	-	E3+		6006 10946	-	43367 15325	+14.05%
Director of Transportation	310040e	-	E3+		6006 10946	-	43367 15325	+14.05%
Economic Development Coordinator	150090e	-	E83		2840 5000	-	8834	
Economic Development Director	150099e	-	E3+		6006 10946	-	43367 15325	+14.05%
Executive Assistant to Department Director	115003e	-	E11		2840 3683	-	5133	
Executive Assistant to the City Manager	115001e	-	E11		2840 3683	-	5133	
Fire Chief	425007e	-	E3+		6006 10946	-	43367 15325	+14.05%
Governmental Affairs Manager	150240e	-	E83		2840 5000	-	8834	
Human Resources Manager	150025e	-	E73		2840 6905	-	8834 9717	+10%
Independent Reviewer	150220e	-	E6+		6006 7984	-	43367 11235	↓
Internal Auditor	135010e	12	E11		2840 3830	-	5390	
Labor Relations Manager	150030e	-	E73		2840 6905	-	8834 9717	+10%
Labor Relations Secretary	115010e	12	E12		2840 3683	-	5133	
Police Chief	415008e <sup>7</sup>	-	E2+		6006 12590	-	44847 17623	+18.7%
Principal Budget Analyst	135009e	-	E73		2840 6905	-	8834 9717	+10%
Principal Internal Auditor	135011e	-	E83		2840 5000	-	8834	
Public Affairs Officer	150118e	-	E83		2840 5000	-	8834	
Public Works Director	210085e	-	E3+		6006 10946	-	43367 15325	+14.05%

Changes for FY2015

Redevelopment Administrator	150080e	-	<del>E4</del>		4809 <u>8970</u>	-	12621	
Retirement Administrator	135030e	-	E3		4809 <u>8970</u>	-	12621	
Risk/Safety Manager	150035e	-	<del>E7</del>		2840 <u>6905</u>	-	8834 <u>9717</u>	+ 10%
Senior Budget Analyst	135007e	-	<del>E8</del>		2840 <u>5000</u>	-	8834	
Senior Deputy City Attorney	160013e	-	<del>E7</del>		4809 <u>6905</u>	-	12621 <u>9717</u>	↓
Senior Human Resources/Risk Analyst	150017e	-	<del>E8</del>		2840 <u>5000</u>	-	8834	
Supervising Deputy City Attorney	160010e	-	<del>E6</del>		4809 <u>7984</u>	-	12621 <u>11235</u>	↓

e Exempt class, see Narrative Section 4.

<sup>7</sup> Only applicable pursuant to employment agreements.