



Legislation Text

File #: 17-586, Version: 1

**AGENDA REPORT
REQUEST FOR CITY COUNCIL ACTION**

DATE: 4/5/2017

TO: Honorable Mayor and City Council Members

FROM: Administrative Services Department

SUBJECT:

City Council Consideration to approve: (1) Resolution No. 2017-018, adopting the City of Corona Employer-Employee Relations Policy; (2) Resolution No. 2017-019, amending the compensation and benefits of non-represented management/confidential group employees to remove the Deputy Fire Chief and Battalion Chief positions from the group; and (3) Side Letter Agreement with the Corona Firefighters Association to reassign the Deputy Fire Chief and Battalion Chief positions in the Corona Firefighters Association bargaining unit and to clarify eligibility of the 40-hour assignment pay provision.

RECOMMENDED ACTION:

That the City Council:

1. Adopt Resolution No. 2017-18 approving the City of Corona Employer-Employee Relations Policy, repealing prior Employer-Labor Relations Resolutions, including Resolution No. 78-59 and 93-04.
2. Adopt Resolution No. 2017-019 governing Compensation and Benefits of Non-Represented Management/Confidential Group Employees to remove the Battalion Chief and Deputy Fire Chief positions and to make other updates, repealing all prior resolutions governing the compensation and benefits of non-represented management/confidential group employees, including Resolution No. 2016-54.
3. Approve Side Letter of Agreement modifying the 2007-2017 Memorandum of Understanding between the City of Corona and the Corona Firefighters Association to reassign the Deputy Fire Chief and Battalion Chief positions in the Corona Firefighters Association bargaining unit and to clarify eligibility of the 40-hour assignment pay.

ANALYSIS:

The Meyers-Milias-Brown Act (MMBA) permits public agencies to adopt reasonable rules and regulations after consultation in good faith with representatives of its employee association for the administration of employer-employee relations. The City of Corona Employer-Employee Relations Policy Resolution establishes a uniform method of communications between employees, employee associations, and City management related to labor representation proceedings, impasse procedures, and provides for a uniform and consistent method for the fair, expeditious, and orderly adjustment of grievances. The current Employer-Employee Relations Resolution was adopted in 1978 and amended in

1993 to allow for both supervisory and non-supervisory employees in the same bargaining unit. After consultation in good faith with the employee associations, the standards for determination of appropriate units are being updated. The provision impacting management and confidential employees precluded them from joining a bargaining unit is being eliminated.

The updates to the Management/Confidential Group Resolution are specific to the Fire Department to remove the Battalion Chief and Deputy Fire Chief positions from the group. With this change the Management/Confidential Group will no longer have Fire sworn positions. Any associated language is being deleted as it is no longer applicable.

The Side Letter to the Corona Firefighters Association (CFA) Memorandum of Understanding (MOU) includes reclassification of the Deputy Fire Chief and Battalion Chief positions from the Management/Confidential Group to CFA. Compensation and benefits for these two positions are not changing at this time. The side letter is incorporating their current pay and benefits in the CFA MOU.

Section 13.2.1 of the CFA MOU, indicates that an additional 15% above base pay is provided to employees working the positions of Firefighter, Engineer, and Captain when those position receive a 40 hour per week assignment on a regular or probationary basis. On the March 15, 2017 Council Meeting, the City Council received an independent audit report indicating a light duty designation was identified as an administrative position receiving the 15% above base pay in the financial payroll system. In the City's response, the additional 15% above base pay was immediately deferred for employees placed on light duty as clarification of this section was needed. Management met and conferred with CFA on this item to clarify eligibility for the 15% above base pay for employees receiving a 40 hour per week assignment. The side letter is incorporating language to provide employees 15% above base pay assigned to a 40 hour per week assignment related to a work injury or illness modified duty accommodation. A retroactive payment will be made to employees who qualified for this pay while it was deferred, following City Council's approval of the side letter.

COMMITTEE ACTION:

Not applicable.

STRATEGIC PLAN:

Not applicable.

FISCAL IMPACT:

No additional funding is needed for approval of the recommended actions. The Fire Department's Fiscal Year 2016-17 operating budget is sufficient to cover the modified duty payments included in the side letter.

ENVIRONMENTAL ANALYSIS:

No environmental review is required because the proposed action is not a project governed by the California Environmental Quality Act.

PREPARED BY: EDELIA EVELAND, HUMAN RESOURCES MANAGER

REVIEWED BY: DEAN DERLETH, CITY ATTORNEY

REVIEWED BY: KERRY D. EDEN, ASSISTANT CITY MANAGER/ADMINISTRATIVE SERVICES
DIRECTOR

SUBMITTED BY: DARRELL TALBERT, CITY MANAGER

Attachments

1. Employer Employee Relations Policy (Redline)
2. Resolution No. 2017-019 Management/Confidential Group Employees (Redline)
3. CFA Side Letter (Redline)
4. Resolution No. 2017-018 Employer Employee Relations Policy
5. Resolution No. 2017-019 Management/Confidential Group Employees (Clean)
6. CFA Side Letter (Clean)