

Mayor and Council Communication

DATE: 06/14/22

M&C FILE NUMBER: M&C 22-0438

LOG NAME: 12AMENDCBAJUNETEENTH

SUBJECT

(ALL) Authorize and Approve Amendment to Article 12, Section 5 of the Collective Bargaining Agreement between the City of Fort Worth, Texas and the Fort Worth Professional Firefighters Association, International Association of the Fire Fighters Local 440, to Expire September 30, 2022, to Provide to Fire Fighters the Juneteenth Paid Holiday

RECOMMENDATION:

It is recommended that the City Council authorize and approve an amendment to Article 12, Section 5 of the Collective Bargaining Agreement between the City of Fort Worth, Texas and the Fort Worth Professional Firefighters Association, International Association of the Fire Fighters Local 440, to expire September 30, 2022 to provide to fire fighters the Juneteenth holiday in June 2022 and, if needed, June 2023.

DISCUSSION:

In August 2021 the City Council supported by resolution the City's recognition of the Juneteenth holiday on June 19th, beginning in June 2022. The holiday was extended to all General Employees and included Police Civil Service employees consistent with the Meet and Confer Labor Agreement between the City and the Fort Worth Police Officers Association.

Article 12, Section 5 of the current Collective Bargaining Agreement ("CBA") between the City and the Fort Worth Professional Firefighters Association, IAFF Local 440, ("the Association") Article 12, Sec. 5, effective July 1, 2019, states that fire fighters receive eight (8) holidays every year and those eight (8) holidays are identified by name. Juneteenth is not one of them. The language of the CBA prohibits the City from giving fire fighters Juneteenth as an additional holiday while this CBA is in effect. Texas Local Government Code Section 142.0013(c) requires that fire fighters will receive the same number of vacation days and holidays as other City employees, but that language is specifically preempted by Article 12, Section 5.

Nevertheless, City management feels that recognizing Juneteenth as a holiday for all employees is extremely important for many reasons, so the City wants to amend Article 12, section 5 to include Juneteenth for June 2022 and, if the CBA goes into the evergreen year, also in June 2023.

The yearly estimated fiscal impact of adding a paid holiday for fire fighters is \$685,000 when pension and other associated costs are included.

Through the collective bargaining process under Chapter 174, Texas Local Government Code, the City and the Association negotiated and reached an agreement on an amendment to Article 12, Section 5 of the CBA. For an amendment to any provision of the CBA to be effective, the amendment must be ratified by a majority vote of fire fighters and approved by City Council. The Association has informed the City that they are scheduling an election to ratify the amendment to Article 12, Section 5. The election period is scheduled to conclude before June 19, 2022 and the results of such vote will be shared with the City Council as soon as feasible after the vote occurs.

If the current Collective Bargaining negotiations between the City and the Association results in a successor CBA, City management expects that June 19th, "Juneteenth," will be included as a ninth (9th) paid holiday for fire fighters during the term of the successor CBA.

This M&C does not request approval of a contract with a business entity.

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that the funds are available in the current operating budget, as previously appropriated, in the General Fund to support the approval of the above recommendation and award of the agreement. Prior to any expenditure being incurred, the Fire Department has the responsibility to validate the availability of funds.

Submitted for City Manager's Office by: ALL ACMs 6222

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Expedited