

# Mayor and Council Communication

DATE: 06/02/20

M&C FILE NUMBER: M&C 20-0356

LOG NAME: 14MEETANDCONFER20

**SUBJECT**

Authorize the Execution of a Successor Meet and Confer Agreement Between City of Fort Worth, Texas and Fort Worth Police Officers Association to Expire September 30, 2024 (ALL COUNCIL DISTRICTS) (Continued from a Previous Meeting)

**RECOMMENDATION:**

It is recommended that the City Council approve the terms agreed to by the City Manager's negotiating team and the Fort Worth Police Officers Association and authorize the execution of a successor Meet and Confer Agreement between the City of Fort Worth, Texas and the Fort Worth Police Officers Association that will expire on September 30, 2024.

**DISCUSSION:**

Through the meet and confer process, the City and the Fort Worth Police Officers Association (FWPOA) have negotiated and reached a consensus on a Meet and Confer Agreement (Agreement) regarding terms and conditions of employment for Fort Worth Police Officers (Officers). The Texas Local Government Code states that for the Agreement to be enforceable and binding on the City and the Officers, a secret ballot election must be conducted at which a majority of the members of the FWPOA vote in favor of ratifying the Agreement. Further, the City Council must approve the Agreement by a majority vote. According to a letter to the City dated May 11, 2020, from Manny Ramirez, the President of the FWPOA, the FWPOA conducted an election to ratify the tentative Agreement. The letter reports that 99.2% percent of the votes cast were in favor of ratification of the Agreement. Approval by the City Council of this Agreement will put it into effect on October 1, 2020, and cause this Agreement to supersede any conflicting state or local law, ordinance, or civil service rule. The attached draft of the Agreement may be subject to minor changes as the City and the FWPOA finalize the exact language in the Agreement. Key new provisions in the Agreement include:

1. Modification of hiring procedures for entry-level candidates to increase points for bachelor's degrees, graduates of the Fort Worth Police Cadet Program, and reduce points for Fort Worth residency to create consistency in the hiring process, and promote a more diverse and professional organization;
2. Modification of disciplinary procedures to clarify Officer rights during internal investigations, provide procedures during disciplinary settlement negotiations between Officers and the Command Staff, and to establish guidelines to schedule disciplinary appeal hearings within 180 days;
3. Established educational requirements following appointment to the ranks of Assistant Chief, Deputy Chief, and Commander;
4. Established review board for promotional exam appeals in lieu of the Civil Service Commission review, in certain circumstances;
5. Provides for increases in maximum sick leave payouts from 720 hours to 1000 hours for officers who have a minimum of 5 years of service and separate in good standing;
6. Established by ordinance an extra position in the department's authorized staffing to account for the POA President's position;
7. One-year evergreen period to extend the Agreement to no later than September 30, 2025;
8. Provided language that the City would provide POA 180 days advance notice prior to making any pension changes while retaining the City's right to make any necessary changes to protect the pension fund and its financial solvency during the term of the agreement; and
9. Delayed initial wage increase to the first full pay period after December 1, 2020 and established separate pay schedules for officers for each year of the four-year contract that are tied to CCPD sales tax collections for July-September 2020, compared to CCPD sales tax collections for July-September 2019, to address uncertainties due to COVID-19 as follows:

	FY 2021-21	FY 2021-2022	FY 2022-2023	FY 2023-2024
Pay raises set out in Agreement (if CCPD sales tax collections decrease by 0%-5%)	4.00%	2.87%	2.00%	2.00%
Alternative 1 (if CCPD	2.00%	4.00%	2.16%	2.14%

sales tax collections decrease by 5%-10%)				
Alternative 2 (if CCPD sales tax collections decrease by more than 10%)	0.00%	4.50%	3.10%	2.75%

In addition to the applicable annual wage increases in the table above, Officers receive an annual 2.5% or 5.0% step pay increase for those Officers eligible on their applicable service anniversary date.

**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that upon approval of the above recommendations funds are available in the current operating budget, as previously appropriated, in the General Fund to support the execution of the Successor Meet and Confer Agreement, and upon adoption of future Fiscal Years' Budget by the City Council, funds will be available in the future Fiscal Year's Operating Budget, as appropriated, within the General Fund. Prior to an expenditure being incurred, the Human Resources and Police Departments have the responsibility to validate the availability of funds.

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