MEMORANDUM

Agenda Item No. 14(A)(9)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: December 16, 2014

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution approving and ratifying an amendment to the 2012-2015 Collective Bargaining Agreement with the Committee of Interns and Residents representing certain employees working at the Public Health Trust

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Audrey M. Edmonson.

R. A. Cuevas, Jr.
County Attorney

RAC/lmp

MEMORANDUM
(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: December 16, 2014

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 14(A)(9)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**

✓ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 14(A)(9)
12-16-14

RESOLUTION NO. _____

RESOLUTION APPROVING AND RATIFYING AN AMENDMENT TO THE 2012-2015 COLLECTIVE BARGAINING AGREEMENT WITH THE COMMITTEE OF INTERNS AND RESIDENTS REPRESENTING CERTAIN EMPLOYEES WORKING AT THE PUBLIC HEALTH TRUST

WHEREAS, the President and staff of the Public Health Trust of Miami-Dade County ("PHT") which operates the Jackson Health System have negotiated in good faith with representatives of the Committee of Interns and Residents (CIR), which is the duly certified collective bargaining agent representing bargaining unit members of the CIR, that are working at the PHT; and

WHEREAS, on May 7, 2013 pursuant to Resolution R-363-13, this Board ratified the 2012-2015 Collective Bargaining Agreement between the PHT, the County and the CIR; and

WHEREAS, the 2012-2015 Collective Bargaining Agreement contained a provision allowing the reopening of Article 2 of the Collective Bargaining Agreement in the third year; and

WHEREAS, the reopener provision was invoked and the parties have negotiated in good faith which has resulted in an agreement between the PHT and the CIR regarding the reopened article that has been reduced to writing as an amendment to the 2012-2015 Collective Bargaining Agreement, a copy of the amendment is attached hereto and incorporated herein by reference; and

WHEREAS, on December 12, 2014, the bargaining unit members of the CIR voted to ratify the attached amendment to the 2012-2015 Collective Bargaining Agreement; and

WHEREAS, the President and the Board of Trustees of the PHT desire to accomplish the purposes of this agreement between the PHT and the CIR and recommend that the

amendment to the Collective Bargaining Agreement be approved and ratified by the Board of County Commissioners, as set forth in the attached memorandum, which is incorporated by reference; and

WHEREAS, on December 15, 2014, the Board of Trustees of the PHT adopted Resolution No. PHT 12/14-90 that approves the attached amendment and requests that this Board approve and ratify the attached amendment to the 2012-2015 Collective Bargaining Agreement with the CIR; and

WHEREAS, Chapter 25A of the Code of Miami-Dade County provides that the PHT shall not be authorized to enter into a contract with a labor union or other organization representing employees without first having obtained the approval of the Board of County Commissioners ("Board"); and

WHEREAS, in addition, Miami-Dade County and the PHT have a joint employer relationship under state public employee relations laws, Chapter 447, Florida Statutes, as determined by the Florida Public Employees Relations Commission; and

WHEREAS, as such, the PHT does not have the independent authority to enter into labor contracts, and the County, as a matter of state law, is a party to and is bound by the contracts with the PHT's labor unions,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby approves and ratifies the attached amendment to the 2012-2015 Collective Bargaining Agreement with the CIR in substantially the form attached hereto and made a part hereof.

The Prime Sponsor of the foregoing resolution is Commissioner Audrey M. Edmonson. It was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman

Bruno A. Barreiro	Esteban L. Bovo, Jr.
Daniella Levine Cava	Jose "Pepe" Diaz
Audrey M. Edmonson	Sally A. Heyman
Barbara J. Jordan	Jean Monestime
Dennis C. Moss	Sen. Javier D. Souto
Xavier L. Suarez	Juan C. Zapata

The Chairperson thereupon declared the resolution duly passed and adopted this 16th day of December, 2014. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Eric A. Rodriguez

DATE: December 16, 2014

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

FROM: Darryl K. Sharpton
Chairman, Board of Trustees of the Public Health Trust

RE: 2012-2015 Collective Bargaining Agreement between Miami-Dade County, Florida, The Public Health Trust and the Committee of Interns and Residents (CIR) Bargaining Unit (Approximately 1072 Employees)

Recommendation
It is recommended that the Board of County Commissioners (Board) approve and ratify the attached amendment to the 2012-2015 Collective Bargaining Agreement by and among Miami-Dade County, the Public Health Trust (PHT) and the Committee of Interns and Residents (CIR) Bargaining Unit.

On December 15, 2014, the Board of Trustees of the PHT adopted Resolution No. PHT 12/14-090 that accepts the attached agreement and requests that this Board approve and ratify the attached agreed upon amended 2012-2015 collective bargaining agreement with the Committee of Interns and Residents (CIR). This Agreement was ratified by the Union membership on December 12, 2014.

Scope
The impact of this agenda item affects all medical interns, residents and fellows of the Jackson Health System that are members of the Committee of Interns and Residents (CIR) bargaining unit.

Fiscal Impact/Funding Source
The fiscal impact of this Agreement would be $1,116,137 for the remainder of the three (3) year term of the 2012-2015 collective bargaining agreement. It would be funded from operating revenues as documented in the PHT financial statements. In no event would capital revenues, including proceeds from any general obligation bond, be used to fund this program.

Track Record/Monitor
Monitoring and implementation of labor contracts is overseen by Maria Huot-Barrientos, Senior Vice President and Chief Human Resources Officer.

Background
On May 7, 2013 pursuant to Resolution R-363-13, this Board ratified the 2012-2015 collective bargaining agreement between the PHT, the County and the CIR. This agreement contained a provision allowing the reopening of Article 2 – Salaries and Compensation, Section 6A of the CBA in the third year. The reopener provision was invoked and the parties have negotiated in good faith such negotiations, which have resulted in an agreement between the PHT and the CIR regarding the reopened article that has been reduced to writing as an amendment to the 2012-2015 Collective Bargaining Agreement.

Terms of Amendment to Article 2 – Salaries and Compensation, Section 6A – Salary Re-opener
Section 2: Pay Rates:

AAMC PGY salary adjustments:

The previously agreed to pay adjustments to be made in accordance with the AAMC 2014 2015 academic year median nationwide rates, will be moved from July 2015 to January 1, 2015.

House staff Longevity Recognition:
Bargaining unit members hired prior to April 1, 2014, shall receive a one-time lump sum payment in the amount of 1.25%, calculated on their July 2014 annual salary. Payment to be made in the first full pay period following ratification by the parties.

Darryl K. Sharpton
Chairman
Public Health Trust Board of Trustees

Agenda Item 3 (a)
Special Public Health Trust Board of Trustees
December 15, 2014

RESOLUTION NO. PHT 12/14 – 090

RESOLUTION AMENDING THE 2012-2015 COLLECTIVE BARGAINING AGREEMENT AMONG MIAMI-DADE COUNTY, THE PUBLIC HEALTH TRUST AND COMMITTEE OF INTERNS AND RESIDENT (CIR) REGARDING THE SALARIES REOPENER

(Maria Huot-Barrientos, Senior Vice-President and Chief Human Resources Officer, Jackson Health System)

WHEREAS, the President and staff of the Public Health Trust have negotiated in good faith with representatives of Committee of Interns and Residents (CIR), which is the duly certified collective bargaining agent representing employees employed by the Public Health Trust (hereinafter referred to as "PHT"); and

WHEREAS, on May 7, 2013 pursuant to Resolution R-363-13, the Board of County Commissioners ratified the 2012-2015 Collective Bargaining Agreement between the PHT, the County and the CIR; and

WHEREAS, the 2012-2015 Collective Bargaining Agreement contained a provision allowing the reopening of Article 2 of the agreement in the third year; and

WHEREAS, the reopener provision was invoked and the parties have negotiated in good faith such negotiations which has resulted in an agreement between the PHT and the CIR regarding the reopened article that has been reduced to writing as an amendment to the 2012-2015 Collective Bargaining Agreement, a copy of the amendment is attached hereto and incorporated herein by reference; and

WHEREAS, on December 12, 2014, the bargaining unit members of the CIR voted to ratify the attached amendment to the 2012-2015 Collective Bargaining Agreement; and

WHEREAS, the parties desire to amicably come to a resolution and close the reopener on the issue of Salaries and Compensation for the 2014-2015 fiscal year; and

WHEREAS, because of the time sensitivity of this matter, the President recommends that the Board of Trustees of the Public Health Trust approve the amendment to Collective Bargaining Agreement; and

WHEREAS, the President and the Board of Trustees desire to accomplish the purposes outlined in the accompanying memorandum, which is incorporated by reference, recommend approval of the proposed amendment to the Collective Bargaining Agreement and to forward the same to the Board of County Commissioners of Miami-Dade County for ratification.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE PUBLIC HEALTH TRUST OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby accepts the Collective Bargaining Agreement amendment among Miami-Dade County, the Public Health Trust, and Committee of Interns and Residents (CIR) as reflected in the attached tentative agreement and hereby forward the amendment to the Collective Bargaining Agreement to the Board of County Commissioners for ratification and directs the President or his designee to take such action as necessary to seek such ratification.

The foregoing resolution was offered by Mojdeh L. Khaghan and the motion was seconded by Carlos Trujillo as follows:

Joe Arriola	Aye
Mojdeh L. Khaghan	Aye
Marcos Jose Lapciuc	Absent
Irene Lipof	Aye
Ralph G. Patino	Aye
Darryl K. Sharpton	Absent
Carlos Trujillo	Aye

The Chairperson thereupon declared the resolution duly passed and adopted this 15th day of December 2014.

PUBLIC HEALTH TRUST OF MIAMI-DADE COUNTY, FLORIDA

BY: Irene Lipof
Irene Lipof, Secretary

Approved by the Miami-Dade County Attorney's Office as to form and legal sufficiency _____

Jackson HEALTH SYSTEM PUBLIC HEALTH TRUST

Miracles made daily.

DATE: December 15, 2014

TO: Darryl K. Sharpton, Chairman
and Members, Public Health Trust Board of Trustees

FROM: Maria Huot-Barrientos
Senior Vice President and Chief Human Resource Officer

RE: Amendment to the 2012-2015 Collective Bargaining Agreement by and among Miami-Dade County, Florida, The Public Health Trust and the Committee of Interns and Residents (CIR)

Recommendation

It is recommended that the Board of Trustees of the Public Health Trust (PHT) approve this resolution and amendment to the 2012-2015 Collective Bargaining Agreement by and among Miami-Dade County, the Public Health Trust (PHT) and Committee of Interns and Residents (CIR) and forward such agreement to the Board of County Commissioners of Miami-Dade County for ratification. This Agreement covers approximately one thousand seventy two (1072) employees of the PHT.

Scope

The impact of this agenda item affects all medical interns, residents and fellows of the Jackson Health System that are members of the Committee of Interns and Residents (CIR) bargaining unit.

Fiscal Impact/Funding Source

The fiscal impact of this Agreement would be $1,116,137 for the remainder of the three (3) year term of the 2012-2015 collective bargaining agreement. It would be funded from operating revenues as documented in the PHT financial statements. In no event would capital revenues, including proceeds from any general obligation bond, be used to fund this program.

Track Record/Monitor

Monitoring and implementation of labor contracts is overseen by me, in my role as Vice President and Chief Human Resources Officer.

Background

On May 7, 2013 pursuant to Resolution R-363-13, the Board of County Commissioners ratified the 2012-2015 collective bargaining agreement between the PHT, the County and the CIR. This agreement contained a provision allowing the reopening of Article 2 – Salaries and Compensation, Section 6A of the CBA in the third year. The reopener provision was invoked and the parties have negotiated in good faith such negotiations which has resulted in an agreement between the PHT and the CIR regarding the reopened article that has been reduced to writing as an amendment to the 2012-2015 Collective Bargaining Agreement.

Terms of Amendment to Article 2 – Salaries and Compensation, Section 6A – Salary Re-opener
Section 2: Pay Rates:

AAMC PGY salary adjustments:

The previously agreed to pay adjustments to be made in accordance with the AAMC 2014 2015 academic year median nationwide rates, will be moved from July 2015 to January 1, 2015.

Housestaff Longevity Recognition:
Bargaining unit members hired prior to April 1, 2014, shall receive a one-time lump sum payment in the amount of 1.25%, calculated on their July 2014 annual salary. Payment to be made in the first full pay period following ratification by the parties.

CIR proposal
December 9, 2014
Article 2, Section 2

Section 2: Pay Rates

~~A. Until October 1, 2013, the wages of all employees in the bargaining unit classifications will be:~~

~~PGY 1 $46,716.92~~
~~PGY 2 $48,682.49~~
~~PGY 3 $50,796.31~~
~~PGY 4 $53,256.92~~
~~PGY 5 $56,131.12~~
~~PGY 6 $57,815.06~~
~~PGY 7 $60,440.74~~

~~B. Effective October 1 2013, the wages of all employees in the bargaining unit classifications will be increased in accordance with paragraph E immediately below (per the AAMC 2012-2013 academic year nationwide rates) to the following:~~

~~PGY 1 $49,651.00~~
~~PGY 2 $51,428.00~~
~~PGY 3 $53,454.00~~
~~PGY 4 $55,750.00~~
~~PGY 5 $57,873.00~~
~~PGY 6 $59,991.00~~
~~PGY 7 $62,007.00~~

~~C. Effective July 2014, the wages of all employees in the bargaining unit classifications will be increased in accordance with paragraph E immediately below (per the AAMC 2013-2014 academic year nationwide rates).~~

A. Effective July 2014, the wages of all employees in the bargaining unit classifications shall be:

PGY 1- $50,214.00
PGY 2- $52,048.00
PGY 3- $54,024.00
PGY 4- ~~$56,238.00~~ 56,380.00
PGY 5- $58,599.00
PGY 6- $60,972.00
PGY 7- $62,905.00

~~B. Upon ratification, the wages of employees in the PGY-7 level who are eligible to be placed on a PGY-8 scale, shall be increased to the median AAMC 2013-2014 academic year rate of $65,738.00 retroactive to July 1, 2014.~~

MPHT 12-9-14 Date

SCR TA CIR 12/9/14 Date

B. ~~C.~~ Upon ratification, retroactive to January 1st, 2015, the wages of all employees in the bargaining unit classifications will be:

PGY 1- $51,250.00
PGY 2- $52,949.00
PGY 3- $55,029.00
PGY 4- $57,201.00
PGY 5- $59,542.00
PGY 6- $61,755.00
PGY 7- $63,809.00
~~PGY 8- $67,167.00~~

C. ~~D.~~ Housestaff Longevity Recognition: All currently employed bargaining unit members who were hired prior to April 1, 2014 shall receive a one-time lump sum payment in the amount of one and ~~two (2)~~ one quarter (1.25) percent, calculated on their July 2014 annual salary. Payment shall be made in the first full pay period following ratification by the parties.

~~D. Effective July 2015, the wages of all employees in the bargaining unit classifications will be increased in accordance with paragraph E immediately below (per the AAMC 2014-2015 academic year nationwide rates).~~

D. ~~E.~~ On October 1, 2013, July 2014, ~~July 2015,~~ and thereafter, if the percentage increase as scheduled above fails to bring any Housestaff Officer PGY yearly salary to the fifty percentile of the "Resident/Fellow Stipends Nationwide" as published in the most recent AAMC (Association of American Medical Colleges) survey then such salary level shall be immediately adjusted upward to reach that sum.

E. ~~F.~~ All bargaining unit Housestaff Officers shall be paid and placed in pay status commencing on the first day of work. All bargaining unit Housestaff Officers beginning work in the month of June proceeding the academic year shall be paid and placed in pay status commencing on the first day of work. All bargaining unit Housestaff Officers beginning work after the beginning of the academic year shall be paid and placed in pay status commencing on the first day of work. Work begins the earlier of the first day of Department orientation, PHT orientation, academic year or assigned work.

F. ~~G.~~ All bargaining unit members shall be paid pursuant to and placed on the above scales.

TA PHT 12-9-14 Date

TA CIR 12/9/14 Date