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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Date: July 20, 2010

Agenda Item No. 9(A)(2)

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Resolution No. R-844-10

Subject: Resolution Ratifying Execution of a Memorandum of Understanding Between Miami-Dade County and the Government Supervisors Association of Florida, OPEIU, Local 100 - Supervisory and Professional Units

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Recommendation
It is recommended that the Board of County Commissioners (Board) ratify the attached memorandum of understanding (MOU) between Miami-Dade County and the Government Supervisors Association of Florida, OPEIU, Local 100 - Supervisory and Professional Units (GSAF), to be incorporated in the 2008-2011 successor collective bargaining agreements between Miami-Dade County and the GSAF.

Scope
The impact of this agenda item is countywide.

Fiscal Impact/Funding Source
Implementation of the provisions included in this MOU will save the County $632,038 per pay period, as compared to continuation of the status quo with respect to all elements of the previously ratified GSAF agreement except for the cost of living adjustments. The County realizes an additional $689,000 in savings when comparing the cost of living adjustments included in this MOU with the previously ratified three-year agreement. One provision of the MOU provides supplemental pay to a small subset of the employees covered by the unit, for which the fiscal impact is up to $33,036 per year. The positions covered by this MOU are in most County departments, and are supported by both general fund and proprietary revenues.

Track Record/Monitor
The Human Resources Department will oversee this contract and the Director of Employee and Labor Relations will monitor and oversee administration of this MOU and collective bargaining agreement.

Background
As the Board will recall, the Government Supervisors Association of Florida (GSAF) was the first of the County's 10 bargaining units to settle and ratify collective bargaining agreements for its two units, approved by the Board on July 23, 2009. The collective bargaining agreements contained provisions that left the issues of wages, merit increases and longevity bonuses open for future determination, based upon how those issues were settled or resolved with the County's other unions. Because of the delay in resolving the bargaining agreement with the American Federation of State, County and Municipal Employees, (AFSCME) Local 121, the County was unable to promptly settle these issues with GSAF. Although the County remains at impasse with AFSCME Local 121, GSAF agreed to return to the table to resolve any outstanding issues. The resulting negotiations led to the attached MOU which is presented to the Board for approval.

The primary contractual change includes GSAF's acceptance of the 5 percent contribution to group health insurance, effective June 14, 2010, and acceptance of the suspension of merit increases, longevity increases and longevity bonuses for one year, also effective June 14, 2010. Consistent with all other settled contracts, GSAF also agreed to no wage adjustment for the first two years of the agreement and to the same 3 percent cost of living adjustment in July 2011 being applied to the other unions. The County agreed to several items that had been similarly negotiated with other bargaining units, including a freeze on layoffs of GSAF employees at Miami-Dade Transit only, and a 1 percent pay supplement for those Water and Sewer employees who supervise AFSCME 121 employees receiving a 1 percent pay supplement working in certain classifications. Because it has been our position that each union should be treated as equitably as possible, and to acknowledge GSAF's leadership in accepting concessions early in its negotiations, it is recommended that the attached MOU be approved.

Assistant County Manager

MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: July 20, 2010

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

SUBJECT: Agenda Item No. 9(A)(2)

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 Manager'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. 9(A)(2)
7-20-10

RESOLUTION NO. R-844-10

RESOLUTION RATIFYING EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN MIAMI-DADE COUNTY AND THE GOVERNMENT SUPERVISORS ASSOCIATION OF FLORIDA, OPEIU, LOCAL 100 – SUPERVISORY AND PROFESSIONAL UNITS

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board ratifies the County Manager's action in executing the attached Memorandum of Understanding between Miami-Dade County and the Government Supervisors Association of Florida, OPEIU, Local 100, Supervisory and Professional Units in substantially the form attached hereto and made a part hereof, to be incorporated in the 2008-2011 Collective Bargaining Agreements between Miami-Dade County and the Government Supervisors Association of Florida, OPEIU, Local 100, Supervisory and Professional Units.

The foregoing resolution was offered by Commissioner Joe A. Martinez, who moved its adoption. The motion was seconded by Commissioner Audrey M. Edmonson and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman aye
Jose "Pepe" Diaz, Vice-Chairman absent

Bruno A. Barreiro	aye	Audrey M. Edmonson	aye
Carlos A. Gimenez	nay	Sally A. Heyman	absent
Barbara J. Jordan	absent	Joe A. Martinez	aye
Dorrin D. Rolle	aye	Natacha Seijas	absent
Katy Sorenson	aye	Rebeca Sosa	absent
Sen. Javier D. Souto	absent		

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of July, 2010. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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

HARVEY RUVIN, CLERK

Approved by County Attorney as
to form and legal sufficiency.

By: **DIANE COLLINS** _
Deputy Clerk

Lee Kraftchick

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Memorandum of Understanding

This agreement dated June 14, 2010 is entered into by and between Miami-Dade County (the "County") on the one hand, and the Government Supervisors Association of Florida, OPEIU, Local 100 ("GSAF"), on the other.

WHEREAS, the 2008-2011 Collective Bargaining Agreements between Miami-Dade County and Government Supervisors Association of Florida, OPEIU, Local 100, Supervisory Unit and Professional Unit contain wage and benefit provisions that are contingent upon resolution of other collective bargaining agreements between the County and its other several unions; and

WHEREAS, Article 34 (of each Agreement) states: "Effective the beginning of the last pay period in September 2009, all employees in bargaining unit classifications shall receive the most favorable wage adjustment, whether positive, negative or none, received by any other Miami-Dade County bargaining unit, excluding all Public Health Trust units, for the comparable 2008 to 2009 fiscal year, whether as a result of collective bargaining agreement or as a result of impasse resolution by the Board of County Commissioners pursuant to Chapter 447 of the Florida Statutes...In the event that merit increases and/or longevity bonuses are eliminated, suspended or otherwise adjusted for any period of time during the term of this Agreement...for all other Miami-Dade bargaining units, excluding all Public Health Trust units, such elimination, suspension or adjustment shall apply to all employees within the bargaining unit covered by this Agreement."

WHEREAS, all but one (which is currently at impasse) of the County's eight other bargaining units have accepted and ratified terms governing employee wages and benefits; and

WHEREAS, the parties are desirous of implementing said contingent provision of

their 2008-2011 GSAF collective bargaining agreements' Article 34 ("me too") provision;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED THAT:

1. Effective the pay period commencing on June 14, 2010, all employees in bargaining unit classifications shall be required to contribute five percent (5%) of base pre-tax wages toward the cost of coverage for group health insurance.

2. Effective the beginning of the first pay period in July 2011, all employees in bargaining unit classifications shall receive a three percent (3%) wage increase; this wage increase shall supersede and replace any other wage adjustments previously agreed to during the term of the contract; as a result, there will be no wage adjustment during the second year of the contract.

3. Effective June 14, 2010, progression through the pay range, merit increases and longevity increases shall be suspended. Effective one year from June 14, 2010, progression through the pay range, merit increases and longevity increases shall be restored prospectively only.

4. Effective June 14, 2010, the payment of longevity bonuses shall be suspended. Effective one year from June 14, 2010, the payment of longevity bonuses shall be restored prospectively only.

5. Bereavement leave and emergency bereavement leave shall be increased from a maximum of three days to a maximum of five days, as provided in the County Leave Manual.

6. Effective June 14, 2010, a bargaining unit employee with 20 or more years of service may, upon written request, receive payment for the sick leave hours that qualify to be converted to annual leave each year.

7. Effective June 14, 2010, Holiday Leave can be accrued to a maximum of 240 hours for

those employees designated as non-job basis by the Pay Plan.

8. Effective June 14, 2010, and for the duration of the 2008-2011 collective bargaining agreement, up until September 30, 2011, the Miami-Dade Transit Agency shall not initiate any layoff action relating to a GSAF bargaining unit employee. It is understood that a GSAF bargaining unit employee may nevertheless remain affected as a result of any other layoff action, including but not limited to layoffs initiated in another County department or in a different bargaining unit or involving a non-bargaining employee with previously established GSAF classified rights.

9. Within thirty days, the County shall recall those GSAF employees who were the subject of the grievance filed by GSAF on February 2, 2009, AAA Case # 32-390-00142-09, to their former classifications.

10. Effective June 14, 2010, the County shall provide a 1% pay supplement to those bargaining unit employees in the Water and Sewer Department who directly supervise those AFSCME Local 121 employees who receive a 1% pay supplement as Plant Electricians and Plant Mechanics assigned to Water Production and Wastewater Treatment Plants and as Treatment Plant Operators 1 and 2. The County shall provide as soon as practicable to GSAF a list of those employees entitled to this pay supplement.

11. The foregoing provisions shall apply where appropriate to both GSAF Supervisory and Professional Units.

12. The parties agree that this Memorandum of Understanding fully and completely resolves the outstanding contingent ("me too") provisions of the parties' 2008-2011 collective bargaining agreements, and is not intended to change, alter modify or amend any provision of the parties' collective bargaining agreements except as specifically provided herein.

13. The parties have read the foregoing and fully understand its terms and conditions.

DATED this 14th day of June, 2010.

GOVERNMENT SUPERVISORS ASSOC.

OF FLORIDA, OPEIU LOCAL 100

Greg Blackman, President

GSAF, Local 100

MIAMI-DADE COUNTY, FLORIDA

George M. Burgess, County Manager

Miami-Dade County, Florida

Don Slesnick, Esq,

Attorney for GSAF

Mark Deutsch, Director

Employee and Labor Relations Div.

approved for legal sufficiency

Lee Kraftchick

Assistant County Attorney