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

# Memorandum

MIAMI-DADE COUNTY

**Date:** October 2, 2012

**To:** Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

Agenda Item No. 14(A)(9)

**From:** Carlos A. Gimenez
Mayor

Resolution No. R-761-12

**Subject:** Approval of Article 28 Wages of the 2011-14 Collective Bargaining Agreement Between Miami-Dade County and the American Federation of State, County and Municipal Employees, Water and Sewer Employees, Local 121

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**Recommendation**

It is recommended that Article 28 Wages (Attachment 1) of the 2011-14 Collective Bargaining Agreement between Miami-Dade County and the American Federation of State, County and Municipal Employees (AFSCME), Water and Sewer Employees, Local 121 be approved by the Board of County Commissioners (Board).

The County Mayor is authorized to effectuate this Resolution by approving and filing this Resolution with the Clerk of the Board. This will allow for the implementation of the Board's directive to negotiate the return of the additional four percent (4%) healthcare contribution and if ratified, restore these monies to employees as soon as possible after the commencement of the fiscal year.

**Scope**

The impact of this agenda item is countywide.

**Fiscal Impact/Funding Source**

The estimated fiscal impact associated with the elimination of the four percent (4%) contribution toward healthcare to the members of AFSCME, Local 121 is estimated at $3.304 million. The FY 2012-13 Adopted Budget includes funding to support the above referenced adjustment.

**Track Record/Monitor**

The Director of Labor Management and Compensation monitors and oversees the administration of this collective bargaining agreement.

**Background**

On January 12, 2012, the Board ratified the 2011-14 successor Agreement between AFSCME, Local 121 and the County. Article 28, Wages, of this Agreement contained an impasse issue of whether employees would be required to contribute an additional amount towards the County's cost of health-care. On January 24, 2012, the Board resolved the impasse by voting to impose an additional four percent (4%) contribution of base wages by employees to the County's cost of healthcare. The FY 2012-13 Proposed Budget provided an Impasse Reserve to provide funding for the elimination of the additional four percent (4%) healthcare contribution. On September 20, 2012, the Board adopted the Proposed Budget and directed the County Mayor to negotiate with the unions the return of the additional four percent (4%) healthcare contribution. Pursuant to the Board's directive, the County met with the unions and negotiated the return of the additional four percent (4%) healthcare contribution, as detailed in Attachment 1.

**Term of Agreement**
This is a three (3) year contract for the period of October 1, 2011 through September 30, 2014.

**Wages**
Effective October 1, 2012, the additional four percent (4%) of base wages contribution towards the County's cost of healthcare shall be eliminated.

All employees in Bargaining Unit classifications will continue to contribute five percent (5%) of base wages towards the County's cost of healthcare.

The bargaining unit members ratified Article 28.Wages on October 1, 2012.

Attachment

Edward Marquez
Deputy Mayor

# MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez and Members, Board of County Commissioners

DATE: October 2, 2012

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 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. 14(A)(9)
10-2-12

RESOLUTION NO. R-761-12

RESOLUTION APPROVING AND RATIFYING EXECUTION OF ARTICLE 28 WAGES OF THE 2011-14 COLLECTIVE BARGAINING AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES (AFSCME), MIAMI-DADE COUNTY WATER AND SEWER EMPLOYEES LOCAL 121

**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 approves and ratifies the Mayor's action in executing the attached Article 28 Wages (Attachment 1) of the 2011-14 Collective Bargaining Agreement between Miami-Dade County, and the American Federation of State, County and Municipal Employees (AFSCME), Miami-Dade County Water and Sewer Employees Local 121 in substantially the form attached hereto and made a part hereof.

The foregoing resolution was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Jean Monestime** and upon being put to a vote, the vote was as follows:

| | | | |
|---|---|---|---|
| Joe A. Martinez, Chairman | | | **aye** |
| Audrey M. Edmonson, Vice Chairwoman | | | **aye** |
| Bruno A. Barreiro | **nay** | Lynda Bell | **aye** |
| Esteban L. Bovo, Jr. | **absent** | Jose "Pepe" Diaz | **aye** |
| Sally A. Heyman | **aye** | Barbara J. Jordan | **aye** |
| Jean Monestime | **aye** | Dennis C. Moss | **aye** |
| Rebeca Sosa | **aye** | Sen. Javier D. Souto | **absent** |
| Xavier L. Suarez | **absent** | | |

The Chairperson thereupon declared the resolution duly passed and adopted this 2nd day of October, 2012. This resolution shall become effective upon the earlier of (1) 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, 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: *Christopher Agrippa*
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Lee Kraftchick

ARTICLE 28 WAGES

2012-2013

Effective October 1, 2012, the additional four percent (4%) of base wages contribution towards the County's cost of healthcare shall be eliminated. All employees in bargaining unit classifications shall be required to continue to contribute five percent (5%) of base wages toward the County's cost of health care.

AFSCME Local 121

By: _____
Emilio Azoy, President
For AFSCME Local 121

Witness: _____

Date: _____

Miami-Dade County, Florida

By: _____
Carlos A. Gimenez, County Mayor
For Miami-Dade County, Florida

Witness: _____

Date: 9/25/12