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

Memorandum

MIAMI-DADE COUNTY

Date: May 17, 2016

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Agenda Item No. 9(A)(5)

Resolution No. R-406-16

Subject: Approval of Article 41 Wages of the 2014-2017 Collective Bargaining Agreement Between Miami-Dade County and the American Federation of State, County and Municipal Employees, AFSCME, Solid Waste Employees, Local 3292

Recommendation

It is recommended that the Board of County Commissioners (Board) approve and ratify the attached Article 41 Wages (Article) of the 2014-2017 Collective Bargaining Agreement (Agreement) between Miami-Dade County and the American Federation of State, County and Municipals Employees, AFSCME, Solid Waste Employees, Local 3292 (Union).

The County Mayor is further authorized to effectuate this Resolution by approving and filing this Resolution with the Clerk of the Board. This authorization is necessary to allow this Article to be in effect prior to the preparation of the FY 2016-17 proposed budgets.

This Article was ratified by the Union membership on December 3, 2015.

Scope

The impact of this agenda item is countywide.

Fiscal Impact/Funding Source

This Article makes provisions for a one (1) percent cost of living adjustment (COLA) effective the first pay period in October 2016. The estimated fiscal impact associated with the one (1) percent COLA is estimated at $367,000. The Five-Year Financial Forecast included in both the FY 2015-16 Proposed Budget and FY 2015-16 Adopted Budget include this increase for all funds and the FY 2016-17 Proposed Budget will include funding to support the adjustment. Additionally, should the established target for ad valorem revenue growth be met, the COLA will be increased to four (4) percent. The four (4) percent COLA has an estimated impact of $1.466 million which would be funded by proprietary fees and charges in the Solid Waste Management Department.

Track Record/Monitor

The Director of Labor Relations in the Human Resources Department, Tyrone W. Williams, monitors and oversees the administration of this collective bargaining agreement.

Background

This Article before the Board for final approval and ratification is the product of good faith negotiations between the County and the Union and ratification by the Union membership. This Article recognizes the services provided by the public servants of this bargaining unit while ensuring the continued delivery of quality services to the residents of Miami-Dade County in a fiscally responsible manner.

Proposed Article for Ratification
Article 41 Wages

During the 2014-15 Fiscal Year, bargaining unit employees shall not receive a cost of living adjustment.

During the 2015-16 Fiscal Year, bargaining unit employees shall not receive a cost of living adjustment.

Year Three (Fiscal Year 2016-17)

Effective the first pay period in October 2016, bargaining unit employees shall receive a Cost of Living Adjustment of one (1) percent.

If the sum of the Percent Change of Preliminary Taxable Value for County-wide and UMSA for July 1, 2016 equals or exceeds 13 percent growth, the COLA will be increased by an additional three (3) percent for members of the bargaining unit effective the first pay period in October 2016 to a total of four (4) percent. For purposes of this Agreement "Percent Change of Preliminary Taxable Value" shall mean the percent change from the prior year preliminary taxable value to the current year's taxable value after new construction as set forth in the Miami-Dade County Property Appraiser's July 1, 2016 certification.

Waiver of Signed Contract Requirement of Resolution R-130-06
The requirements of Resolution R-130-06, that any contract between the County and third parties be executed and finalized prior to their placement on a committee agenda, may be waived by the Board of County Commissioners upon recommendation by the County Mayor. The Mayor recommends that these requirements be waived for this Article because, under state law, a collective bargaining agreement is not binding on the public employer until it is ratified by the legislative body of the public employer and the bargaining unit. The bargaining unit has already ratified this Article of the collective bargaining agreement. The Board's ratification is needed for this amendment to the collective bargaining agreement to be binding. Since this Article will be not binding until it is ratified by the Board, this Article will be executed by the parties subsequent to its approval and ratification by the Board. Therefore, it is in the best interest of the County to waive the requirements of R-130-06.

Attachment

Edward Marquez
Deputy Mayor

ARTICLE 41 WAGES

During the 2014-15 Fiscal Year, bargaining unit employees shall not receive a cost of living adjustment.

During the 2015-16 Fiscal Year, bargaining unit employees shall not receive a cost of living adjustment.

Year Three (Fiscal Year 2016-17)

Effective the first pay period in October 2016, bargaining unit employees shall receive a Cost of Living Adjustment of one percent (1%).

~~Only if both (a) the sum of the Percent Change of Preliminary Taxable Value for County-wide and UMSA for July 1st, 2015 equals or exceeds 13% and (b)~~ If the sum of the Percent Change of Preliminary Taxable Value for County-wide and UMSA for July 1st, 2016 equals or exceeds 13% growth, the Cost of Living Adjustment will be increased by an additional 3% for members of the bargaining unit effective the first pay period in October 2016 to a total of four percent (4%). ~~in accordance with the scale set forth below. In the event the sum of the Percent Change of Preliminary Taxable Value for County-wide and UMSA is at least 13% for both yearly periods, but is not the same, the Cost of Living Adjustment shall be increased using the higher of the two annual percent increases provided in the table below~~. For purposes of this Agreement "Percent Change of Preliminary Taxable Value" shall mean the percent change from the prior year preliminary taxable value to the current year's taxable value after new construction as set forth in the Miami-Dade County Property Appraiser's July 1st, 2016 certification. ~~of the preliminary taxable values by taxing authority. (See Addendums 1 and 2).~~

~~Percent Change in Taxable Value for Countywide (CW) and UMSA combined 2014-15 and 2015-16~~	~~COLA Adjustment~~
~~13 %~~	~~1 %~~
~~13.5 %~~	~~1.5 %~~
~~14 %~~	~~2 %~~
~~14.5 %~~	~~2.5 %~~
~~15 %~~	~~3 %~~
~~15.5 %~~	~~3.5 %~~
~~16 %~~	~~4 %~~

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: May 17, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 9(A)(5)

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**

_____ **Statement of social equity 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. 9(A)(5)
5-17-16

RESOLUTION NO. R-406-16

RESOLUTION APPROVING AND RATIFYING ARTICLE 41 WAGES OF THE 2014-2017 COLLECTIVE BARGAINING AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, SOLID WASTE EMPLOYEES, LOCAL 3292; AUTHORIZING THE COUNTY MAYOR TO EXECUTE THE AGREEMENT; WAIVING RESOLUTION NO. R-130-06

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 Article 41 Wages of the 2014-2017 Collective Bargaining Agreement between Miami-Dade County, and the American Federation of State, County and Municipal Employees, Solid Waste Employees, Local 3292 in substantially the form attached to the County Mayor's memorandum and authorizes the County Mayor to execute same. The provisions of Resolution No. R-130-06 requiring that any contracts of the County with third parties be executed and finalized prior to their placement on the committee agenda are waived at the request of the County Mayor for the reasons set forth in the County Mayor's Memorandum.

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

Jean Monestime, Chairman **aye**
Esteban L. Bovo, Jr., Vice Chairman **aye**

Bruno A. Barreiro	**aye**	Daniella Levine Cava	**aye**
Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**absent**	Barbara J. Jordan	**aye**
Dennis C. Moss	**absent**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**aye**	Xavier L. Suarez	**aye**
Juan C. Zapata	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 17th day of May, 2016. 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: **Christopher Agrippa**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Eric A. Rodriguez