

Memorandum



Date: December 2, 2011

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

From: Carlos A. Gimenez
Mayor 

Subject: Deferral of Resolutions pertaining to Collective Bargaining Agreements on the
December 6, 2011 Agenda

In consideration of the significant fiscal impact related to the ratification of the following 2011-14 successor collective bargaining agreements, we proactively scheduled the following items for the December 6, 2011 Board of County Commission (Board) meeting:

- 2011-2014 Collective Bargaining Agreement for American Federation of State, County, and Municipal Employees (AFSCME) Local 1542 – Aviation Employees;
- 2011-2014 Collective Bargaining Agreement for AFSCME Local 199 – General Employees;
- 2011-2014 Collective Bargaining Agreement for Police Benevolent Association (PBA) Rank and File Unit; and
- 2011-2014 Collective Bargaining Agreement for PBA Law Enforcement Supervisory Unit.

Also on the agenda for Board consideration are three separate recommendations to resolve the Collective Bargaining Impasse regarding the additional five percent health care contribution for AFSCME Local 199 – General employees, PBA Rank and File Unit, and PBA Law Enforcement Supervisory Unit.

The items were submitted with the optimistic expectation that the unions would be able to successfully communicate with their members, schedule a ratification vote, and have a successful outcome to the ratification vote of the 2011-14 Collective Bargaining Agreements before the December 6, 2011 Board meeting. While we remained optimistic in being able to collectively accomplish these goals in a compressed timeframe, we respectfully must request deferral of certain items to the December 19, 2011 Board meeting.

The first item to be deferred is the 2011-2014 Collective Bargaining Agreement for AFSCME Local 199 (Agenda Item 8F8). AFSCME Local 199 was not able to schedule the members' ratification vote until Friday, December 16, 2011, although the expectation was for the vote to occur prior to the Board meeting. The associated Collective Bargaining Impasse item for AFSCME Local 199 (Agenda Item 8F9) must also be deferred as a result. The Collective Bargaining Impasse items for the PBA Rank and File Unit (Agenda Item 8F13) and PBA Law Enforcement Supervisory Unit (Agenda Item 8F11) are also recommended for deferral.

Because of the insulated period between waiver of the special magistrate hearing and final resolution of the impasse by the Board, representatives of the union and representatives of the administration are unable to engage in ex-parte communications regarding resolution of the impasse with members of the Board or their staff in advance of the hearing. Contingent upon ratification of the respective contracts, these items will be deferred for your consideration until December 19, 2011.

If you have any questions regarding these actions please feel free to contact me directly.

c: R.A. Cuevas, Jr., County Attorney
Office of the Mayor Senior Staff
Charles Anderson, Commission Auditor