

MEMORANDUM

Agenda Item No. 11(A)(5)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: May 18, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution approving and
ratifying an amendment to the
2017-2020 Collective Bargaining
Agreement by and among
Miami-Dade County, the Public
Health Trust and the Service
Employees International Union,
Local 1991, Professionals, which
provides for a two percent cost of
living adjustment effective
January 2021

Resolution No. R-514-21

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Keon Hardemon.



Geri Bonzon-Keenan
County Attorney

GBK/uw



MEMORANDUM

(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: May 18, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ 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. 11(A)(5)
5-18-21

RESOLUTION NO. _____ R-514-21

RESOLUTION APPROVING AND RATIFYING AN AMENDMENT TO THE 2017-2020 COLLECTIVE BARGAINING AGREEMENT BY AND AMONG MIAMI-DADE COUNTY, THE PUBLIC HEALTH TRUST AND THE SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 1991, PROFESSIONALS, WHICH PROVIDES FOR A TWO PERCENT COST OF LIVING ADJUSTMENT EFFECTIVE JANUARY 2021

WHEREAS, the Service Employees International Union, Local 1991, Professionals (“SEIU, Local 1991, Professionals”) is the duly certified representative of a bargaining unit of professional employees that are employed by the Public Health Trust of Miami-Dade County, Florida (“PHT”); and

WHEREAS, on November 21, 2017, this Board adopted Resolution No. R-1137-17 that ratified a 2017-2020 Collective Bargaining Agreement by and among Miami-Dade County, the Public Health Trust and SEIU, Local 1991, Professionals (the “Agreement”); and

WHEREAS, the 2017-2020 Collective Bargaining Agreement provided no Cost of Living Adjustment (“COLA”) for the third year of the Agreement although it allowed the SEIU Local 1991, Professionals to reopen negotiations with the PHT to negotiate a COLA for bargaining unit employees for the third year of the Agreement; and

WHEREAS, the SEIU Local 1991, Professionals timely invoked the provision that permitted reopening of negotiations on the COLA for the third year of the Agreement; and

WHEREAS, the President and staff of the PHT have negotiated in good faith with representatives of the SEIU, Local 1991, Professionals which resulted in a tentative agreement to amend Article XI of the 2017-2020 Collective Bargaining Agreement to provide for a COLA effective January 1, 2021 (the “COLA Amendment”); and

WHEREAS, the SEIU, Local 1991, Professionals has notified the PHT that it has scheduled a ratification vote of the bargaining unit employees regarding the COLA Amendment on May 15, 2021; and

WHEREAS, on April 27, 2021, the Board of Trustees of the PHT adopted PHT Resolution No. 04/2021-016 (the “PHT Resolution”) approving the COLA Amendment to the 2017-2020 Collective Bargaining Agreement and requesting that this Board approve and ratify the COLA Amendment to the 2017-2020 Collective Bargaining Agreement by and among Miami-Dade County, the Public Health Trust and SEIU, Local 1991, Professionals, that is attached to the PHT Chairman’s Memorandum to this Board, which is incorporated herein by reference; and

WHEREAS, the President and the Board of Trustees of the PHT desire to accomplish the purposes of this COLA Amendment between the PHT and SEIU, Local 1991, Professionals and recommend that the COLA Amendment be approved and ratified; 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 this Board; and

WHEREAS, in addition, Miami-Dade County and the PHT have a joint employer relationship for collective bargaining purposes 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; and

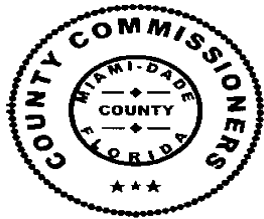
WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby approves and ratifies the COLA Amendment to the 2017-2020 Collective Bargaining Agreement by and among Miami-Dade County, the Public Health Trust and the SEIU, Local 1991, Professionals which provides for a two percent COLA increase for the bargaining unit members of the SEIU, Local 1991, Professionals, retroactive to January 1, 2021.

The Prime Sponsor of the foregoing resolution is Commissioner Keon Hardemon. It was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Kionne L. McGhee** and upon being put to a vote, the vote was as follows:

	Jose “Pepe” Diaz, Chairman	aye
	Oliver G. Gilbert, III, Vice-Chairman	aye
Sen. René García	aye	Keon Hardemon aye
Sally A. Heyman	aye	Danielle Cohen Higgins aye
Eileen Higgins	aye	Joe A. Martinez aye
Kionne L. McGhee	aye	Jean Monestime aye
Raquel A. Regalado	aye	Rebeca Sosa aye
Sen. Javier D. Souto	aye	

The Chairperson thereupon declared this resolution duly passed and adopted this 18th day of May, 2021. 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: **Melissa Adames**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in blue ink, appearing to read "MS4", is written over a horizontal line.

Marlon D. Moffett



TO: Honorable Chairman Jose “Pepe” Diaz
and Members, Board of County Commissioners

FROM: William J. Heffernan
Chairman, Board of Trustees of the Public Health Trust

DATE: May 18, 2021

RE: Amendment to 2017-2020 Collective Bargaining Agreement by and among Miami-Dade County, Florida, the Public Health Trust and the Service Employees International (SEIU) Local 1991, Professionals providing for a 2% Cost of Living Adjustment (“COLA”) increase effective January 1, 2021

Recommendation

It is recommended that the Board of County Commissioners (Board) approve this resolution to ratify the Amendment to the 2017-2020 Collective Bargaining Agreement by and among Miami-Dade County, Florida, the Public Health Trust and the Service Employees International Union (SEIU) Local 1991, Professionals to provide a 2% COLA increase to the bargaining unit effective January 1, 2021 (the “COLA Amendment”). The COLA Amendment was approved by the PHT Board of Trustees on April 27, 2021, with a recommendation that this Board ratify the COLA Amendment. A copy of the PHT Board Resolution that includes the COLA Amendment is attached.

Scope

The impact of this agenda item affects all full-time and part-time employees of the Jackson Health System that are members of the SEIU Local 1991, Professionals bargaining unit.

Fiscal Impact/Funding Source

The fiscal impact of the COLA Amendment for SEIU Local 1991, Professionals, will be approximately \$1,891,650.

Track Record/Monitor

The monitoring and implementation of the COLA Amendment is overseen by Michelle Kligman, Vice-President of the Human Resources Administration, and Chief Experience Officer.

Background

The COLA Amendment is a product of good-faith negotiations between the PHT and the SEIU, Local 1991, Professionals. The COLA Amendment is the result of the reopening of negotiations for the COLA for the 2019-2020 fiscal year for the 2017-2020 collective bargaining agreement.

Terms of Agreement

The COLA Amendment provides for a 2% COLA increase retroactive to January 1, 2021. All part-time and full-time bargaining unit members of SEIU Local 1991, Professionals will be eligible to receive this COLA increase.

RESOLUTION NO. PHT 04/2021 – 016

RESOLUTION APPROVING A TENTATIVE AGREEMENT BY AND AMONG MIAMI-DADE COUNTY, THE PUBLIC HEALTH TRUST AND THE SERVICE EMPLOYEES INTERNATIONAL UNION (SEIU), LOCAL 1991, PROFESSIONALS, WHICH PROVIDES FOR A 2% COLA FOR THE THIRD YEAR OF THE 2017-2020 COLLECTIVE BARGAINING AGREEMENT AND FORWARDING SUCH AGREEMENT TO THE BOARD OF COUNTY COMMISSIONERS FOR RATIFICATION CONTINGENT UPON SEIU, LOCAL 1991, PROFESSIONALS, SUBSEQUENT RATIFICATION

(Carlos A. Migoya, President and Chief Executive Officer, Jackson Health System)

WHEREAS, the President and staff of the Public Health Trust have negotiated in good faith a reopener for a COLA increase for the 2019-2020 fiscal year with representatives of the SEIU, Local 1991, Professionals, which is the duly certified collective bargaining agent representing bargaining unit members of the SEIU, Local 1991, Professionals, employed by the Public Health Trust; and

WHEREAS, such negotiations have resulted in a tentative agreement attached to the accompanying President's memorandum that is incorporated herein by reference ("Tentative Agreement"); and

WHEREAS, this Tentative Agreement is pending ratification by the members of SEIU, Local 1991, Professionals; and

WHEREAS, the President and the Fiscal Committee recommend that this Board approve the Tentative Agreement and forward it to the Board of County Commissioners for ratification; and

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying President's memorandum.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE PUBLIC HEALTH TRUST OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby approves the Tentative Agreement by and among Miami-Dade County, the Public Health Trust, and SEIU, Local 1991, Professionals which provides for a 2% COLA increase retroactive to January 1, 2021; forwards the Tentative Agreement to Miami-Dade County for ratification; and directs the President or his designee to take such action as necessary to seek such ratification.

**Add-on Agenda Item No. 2
Public Health Trust Board of Trustees
April 27, 2021**

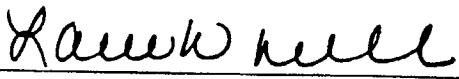
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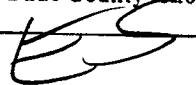
The foregoing resolution was offered by Walter T. Richardson and the motion was seconded by Amadeo Lopez-Castro, III as follows:

Antonio L. Argiz	Aye
Nicholas X. Duran	Absent
William J. Heffernan	Aye
Amadeo Lopez-Castro, III	Aye
Laurie Weiss Nuell	Aye
Walter T. Richardson	Aye
Carmen M. Sabater	Aye

The Chairperson thereupon declared the resolution as duly passed and adopted this 27th day of April 2021.

PUBLIC HEALTH TRUST OF MIAMI-DADE COUNTY, FLORIDA

BY: 
Laurie Weiss Nuell, Secretary

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



TO: William J. Heffernan, Chairman
and Members, Public Health Trust Board of Trustees

FROM: Carlos A. Migoya
President and Chief Executive Officer

DATE: April 27, 2021

RE: Tentative Agreement providing for a 2% COLA increase for the 2019-2020 fiscal year between Miami-Dade County, Florida, the Public Health Trust and the Service Employees International Union (SEIU), Local 1991, Professionals

Recommendation

It is recommended that the Public Health Trust Board of Trustees approve this resolution recommending that the Miami-Dade Board of County Commissioners approve, ratify and accept the attached Tentative Agreement among Miami-Dade County, Florida, the Public Health Trust and the Service Employees International Union (SEIU), Local 1991, Professionals, pending ratification by SEIU, Local 1991, Professionals.

Scope

The impact of this agenda item affects all full-time and part-time employees of the Jackson Health System that are members of the SEIU, Local 1991, Professionals bargaining unit.

Fiscal Impact/Funding Source

The fiscal impact of this concession for SEIU, Local 1991, Professionals, will be approximately \$1,891,650.

Track Record/Monitor

The monitoring and implementation of the Tentative Agreement is overseen by Michelle Kligman, Vice President, Human Resources Administration and Chief Experience Officer.

Background

The Tentative Agreement is a product of good-faith negotiations between the Public Health Trust and the SEIU, Local 1991, Professionals (see attached). The Tentative Agreement is the outcome of a reopener of the 2019-2020 fiscal year for the 2017-2020 Collective Bargaining Agreement.

Terms of Agreement

The Tentative Agreement provides for a 2% COLA increase retroactive to January 1, 2021. All part-time and full-time bargaining unit members of SEIU Local 1991, Professionals will be eligible to receive this COLA increase.

Negotiations Between:

SERVICE EMPLOYEES INTERNATIONAL UNION (SEIU) LOCAL 1991 and
MIAMI DADE COUNTY, FLORIDA, THE PUBLIC HEALTH TRUST/JACKSON
HEALTH SYSTEM

SEIU Proposal – April 13, 2021
Professionals Bargaining Unit

ARTICLE XI - SALARIES

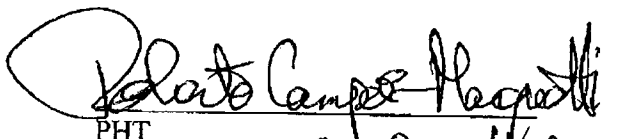
Section 3. Salary Increases

C. Third Year 2019-2020

No later than May 1, 2019, either party may reopen negotiations regarding a potential COLA increase for the 2019-2020 fiscal year.

Pursuant to Article XI, Section 3 C of the 2017-2020 Collective Bargaining Agreement providing for a reopener in negotiations for a potential COLA increase for the 2019-2020 fiscal year, all full-time and part-time bargaining unit employees shall receive a 2% Cost of Living Adjustment (COLA) wage increase effective and retroactively to January 1, 2021.

Tentatively Agreed to by Both Parties


PHT
Director of Employee/ labor
Relations


Union