

## MEMORANDUM

Agenda Item No. 11(A)(6)

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**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, Attending  
Physicians, which provides for  
a two percent cost of living  
adjustment effective January  
2021

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Resolution No. R-515-21

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

  
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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)(6)

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)(6)  
5-18-21

RESOLUTION NO. \_\_\_\_\_ R-515-21

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, ATTENDING PHYSICIANS, WHICH PROVIDES FOR A TWO PERCENT COST OF LIVING ADJUSTMENT EFFECTIVE JANUARY 2021

**WHEREAS**, the Service Employees International Union, Local 1991, Attending Physicians (“SEIU, Local 1991, Attending Physicians”) is the duly certified representative of a bargaining unit of attending physicians 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-1136-17 that ratified a 2017-2020 Collective Bargaining Agreement by and among Miami-Dade County, the Public Health Trust and SEIU, Local 1991, Attending Physicians (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, Attending Physicians 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, Attending Physicians 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, Attending Physicians 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, Attending Physicians 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. 04/2021-015 (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, Attending Physicians, 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, Attending Physicians 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

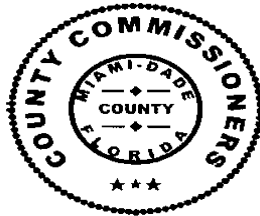
**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

**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, Attending Physicians which provides for a two percent COLA increase for the bargaining unit members of the SEIU, Local 1991, Attending Physicians, 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            | <b>aye</b> |                        |            |
| Oliver G. Gilbert, III, Vice-Chairman | <b>aye</b> |                        |            |
| Sen. René García                      | <b>aye</b> | Keon Hardemon          | <b>aye</b> |
| Sally A. Heyman                       | <b>aye</b> | Danielle Cohen Higgins | <b>aye</b> |
| Eileen Higgins                        | <b>aye</b> | Joe A. Martinez        | <b>aye</b> |
| Kionne L. McGhee                      | <b>aye</b> | Jean Monestime         | <b>aye</b> |
| Raquel A. Regalado                    | <b>aye</b> | Rebeca Sosa            | <b>aye</b> |
| Sen. Javier D. Souto                  | <b>aye</b> |                        |            |

The Chairperson thereupon declared this resolution duly passed and adopted this 18<sup>th</sup> 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

**Melissa Adames**

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

A handwritten signature in blue ink, appearing to read "M. Moffett", 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, Attending Physicians providing for a 2% Cost of Living Adjustment (“COLA”) increase effective January 1, 2021

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**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, Attending Physicians 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, Attending Physicians bargaining unit.

**Fiscal Impact/Funding Source**

The fiscal impact of the COLA Amendment for SEIU Local 1991, Attending Physicians, Local 1991 will be approximately \$669,574.

**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, Attending Physicians. 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, Attending Physicians will be eligible to receive this COLA increase.

**RESOLUTION NO. PHT 4/2021 – 015**

**RESOLUTION APPROVING A TENTATIVE AGREEMENT BY AND AMONG MIAMI-DADE COUNTY, THE PUBLIC HEALTH TRUST AND THE SERVICE EMPLOYEES INTERNATIONAL UNION (SEIU), LOCAL 1991, ATTENDING PHYSICIANS, 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, ATTENDING PHYSICIANS, 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, Attending Physicians, which is the duly certified collective bargaining agent representing bargaining unit members of the SEIU, Local 1991, Attending Physicians, 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, the Tentative Agreement is pending ratification by the members of SEIU, Local 1991, Attending Physicians; 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, Attending Physicians 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. 1  
Public Health Trust Board of Trustees  
April 27, 2021**

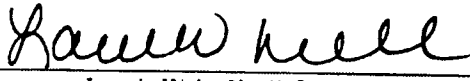
-Page 2-

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 27<sup>th</sup> 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, Attending Physicians

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**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, Attending Physicians, 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, Attending Physicians bargaining unit.

**Fiscal Impact/Funding Source**

The fiscal impact of this concession for SEIU, Local 1991, Attending Physicians will be approximately \$669,574.

**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, Attending Physicians (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, Attending Physicians 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  
Attending Physicians Bargaining Unit

ARTICLE XI - SALARIES

Section 4. Base Salary Ranges

B. Wage Increases

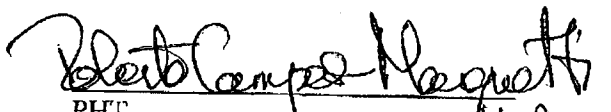
3. Third Year 2019-2020

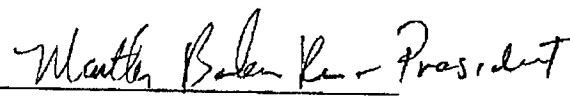
Beginning with the pay period inclusive of October 1, 2019 all bargaining unit employees will receive a three percent (3%) wage increase.

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 4 B 3 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 President