



CITY MANAGER'S OFFICE

Brian Donovan, Assistant City Manager

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MEMORANDUM

DATE: October 31, 2024

TO: Greg Harrison , City Manager

FROM: Brian Donovan, Assistant City Manager

SUBJECT: Federation of Public Employees (FOPE) Collective Bargaining Agreement 10-1-24 thru 9-30-27

The City of Pompano Beach and the FOPE have to come to a tentative agreement for the contract covering October 1, 2024 through September 30, 2027. The current Collective Bargaining Agreement expired on September 30, 2024. The City and the FOPE began negotiations in February of 2024.

FOPE held a Ratification Vote on October 31, 2024 where a majority of employees approved the tentative agreement. I am bringing forward this same tentative agreement to the City Commission for final ratification and acceptance. Accepted changes will be in effect retroactively to October 1, 2024, unless otherwise specified in the agreement.

Highlights of the agreement include:

- Adding Columbus Day as an additional holiday,
- Merit increase ability from 2% - 4% each year of the contract,
- 3% to 3.5% cost of living increase each year of the contract,
- Pay grade changes for specific positions,
- Immediate use of out-of-class pay for eligible temporary assignments (with Director approval),
- Incentive pay increases for specific licenses and certifications,
- An annual stipend for first responder/Utilities personnel, Reduced probationary period from one year to six months, and
- Various clean-up language to reflect current practices, such as the uniform section.

A more detailed explanation of the Collective Bargaining Agreement and its impacts are as follows:

Article 1 - Recognition: in Section 1.2, the pay grades for the following job classifications will be increased in the City's step plan:

1. Cashier shall be increased from paygrade 16 to 17
2. Head Cashier shall be increased from paygrade 18 to 19
3. Service Worker IV (PW Crew Leaders only) shall be increased from paygrade 21 to 23

Any other paygrade changes reflected in the Agreement are housekeeping items to ensure they are congruent with City records. Several new job classifications approved through the budget will also be



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added to the section. Job classifications that are no longer considered to be included in the bargaining unit will be removed, as will duplicate entries of job classifications. One job classification will be retitled.

No cost impact. The new paygrade changes negotiated with the FOPE will be earned through the merit process.

Article 8 – Union Dues: pursuant to the passage of Chapter 2023-35 Laws of Florida, Senate Bill 256 (SB 256), Sections 1-6 shall be stricken through in their entirety, as those Sections are no longer applicable and have been nullified by law since July 1, 2023. In addition, a new Section 1 will require the Union to provide the City with a list of current dues-paying members every four (4) months, which shall commence on the fourth month after ratification of the 2024-2027 Agreement.

No cost impact.

Article 11 – Temporary Upgrades: In Section 1, employees who are assigned by the Department Head or the City Manager (or designee) to temporarily assume the duties and responsibilities of another employee in a higher classification will become eligible to receive a five percent (5%) increase in his or her base rate of pay on the date the employee assumes the duties and responsibilities of the higher classification. An employee's eligibility to receive the temporary upgrade/out-of-class pay provided in this Section shall be contingent on written notice from the Department Head or the City Manager (or designee) to the Human Resources Director that confirms the employee's eligibility to receive the temporary upgrade/out-of-class pay, as well as the specific dates the employee should be provided with the temporary upgrade/out-of-class pay.

No cost impact. This section does not change the amount an employee receives, only the timing.

Article 12 – Uniforms: Table A in Section 1 will be revised to reflect the City's current practice for providing uniforms to City employees.

No cost impact.

Article 13 – Wages, Merit and Longevity: In Section 13.1 (Wages), the parties agreed to the following wage adjustments in each fiscal year:

1. Year 1 (FY 24-25): a 3.0% wage increase effective in the 1st full pay period that starts on or after October 1, 2024.
2. Year 2 (FY 25-26): a 3.5% wage increase effective in the 1st full pay period on or after October 1, 2025.
3. Year 3 (FY 26-27): a 3.5% wage increase effective in the 1st full pay period on or after October 1, 2026.

Cost impact: The estimated impact of the cost-of-living increases is \$5.45M over the Agreement's three-year term. The 3% cost-of-living increase for FY25 was already budgeted.



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Article 13, Section 2: merit salary increases shall be revised in the following manner:

- 0% of current base salary for ineffective or marginally effective performance
- 2% or 2.5% of current base salary for fully effective performance
- 3% or 3.5% of current base salary for very effective performance
- 4% of current base salary for outstanding performance

Cost Impact: Currently, merit is from 0% to 3%. The additional max-percent from 3-4% is estimated at \$656K over the three-year contract.

Article 13, Section 5: Incentive Pay for Licenses and Certifications shall be revised in the following manner:

E. Planning:

1. Upon receipt of written approval from the Department Director (or designee), full-time Development Services employees will be eligible to receive one (1) payment of \$150.00 per month for obtaining/maintaining either a Florida Registered Architect License, Landscape Architect or a Florida Engineer License. Incentive pay provided in this Section is not cumulative, meaning employees will only be eligible to receive one (1) incentive payment in the amount of \$150.00 per month, even if the employee has obtained/maintained all three (3) of the licenses noted herein. After a determination has been made by the Director (or designee) that the license or certification can be used within the scope of the employee's job duties, the Director (or designee) shall provide written notice to the Human Resources Director (or designee) confirming the employee's eligibility to receive the incentive pay as provided in this Section.
2. Upon receipt of written approval from the Department Director (or designee), full-time Code and Development Services employees will be eligible to receive monthly incentive pay for obtaining/maintaining a Florida Association of Code Enforcement (FACE) Level 1, 2, 3 or 4 license(s) that is/are above the minimum job requirements for the employee's job classification. The value of obtaining/maintaining one (1) FACE license that is above the minimum job requirements for the classification is \$25/month; two (2) FACE licenses that are above the minimum required for the classification is \$50/month; three (3) FACE licenses that are above the minimum required for the classification is \$75/month; and four (4) FACE licenses that are above the minimum required for the classification is \$100/month. After a determination has been made by the Director (or designee) that the license or certification can be used within the scope of the employee's job duties, the Director (or designee) shall provide written notice to the Human Resources Director (or designee) confirming the employee's eligibility to receive the incentive pay as provided in this Section.



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K. Parks and Recreation:

1. Full-time Recreation Leaders and Recreation Lifeguards will be paid \$100.00 per month for obtaining/maintaining a Certified Parks & Recreation Professionals certification.
2. Full-time Recreation Lifeguards will be paid \$50.00 per month for obtaining and maintaining a Lifeguard Instructor certification.
3. After a determination has been made by the Director (or designee) that the license or certification can be used within the scope of the employee's job duties, the Director (or designee) shall provide written notice to the Human Resources Director (or designee) confirming the employee's eligibility to receive the incentive pay as provided in this Section
 - a. \$150.00 per month for obtaining/maintaining a Certified Parks & Recreation Executive Professional certification (CPRE).
 - b. \$50.00 per month for obtaining/maintaining a Commercial Driver's License (CDL).

L. Public Works: After a determination has been made by the Director (or designee) that the license or certification can be used within the scope of the employee's job duties, the Director (or designee) shall provide written notice to the Human Resources Director (or designee) confirming the employee's eligibility to receive the incentive pay as provided in this Section.

1. \$25.00 per month for obtaining/maintaining an Ornamental and Turf-Public Applicator certification.
2. \$20.00 per month for obtaining/maintaining a Limited Urban Commercial Fertilizer Application (GI BMP) certification.
3. \$25.00 per month for obtaining/maintaining an Aerial Device Operator Safety Training (Altec Sentry, bucket truck) certification.
4. \$50.00 per month for obtaining/maintaining a Certified Playground Safety Inspector (CPSI) certification.
5. \$25.00 per month for obtaining/maintaining a Florida Water StarSM Accredited Professional (FWS-AP) irrigation certification.

Cost impact: estimated at \$45,350 over the term of the contract.

Article 14 – Vacation Leave: Section 4 will be revised to provide employees with “14 or longer years” with 18 days of vacation leave; currently it is 15 days.

No cost impact.



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Article 16 – Holidays: Columbus Day shall be added as a new designated Holiday in Section 1. The Columbus Day holiday that occurs in fiscal year 2024-2025 shall be treated as a floating holiday and must be used (or forfeited) by no later than September 30, 2025.

No cost impact.

Article 20 – Miscellaneous: a new Section 5 into this Article for purposes of memorializing the \$100 per month car allowance provided to IT Department employees. The City will also add 3 new vehicles to the fleet of IT pool vehicles.

A new Section 6 will also be added that recognizes specific Water and Wastewater Facility job classifications as “Essential First Responders” pursuant to Section 403.865, Florida Statutes. Accordingly, the City shall provide an annual lump-sum stipend of \$250.00 per year to the Utilities employees whose job classifications have been identified.

Cost impact: estimated at \$30,130 over the term of the contract.

Article 24 – Probationary Period: the current probationary period will be reduced from one (1) year to six (6) months, in the following manner:

- Employees who have completed five (5) to ten (10) months of their probationary period as of the ratification of this 2024-2027 Agreement, shall have their probationary period extended for a period of two (2) months, after which their probationary period shall expire and they will be reviewed by the City Manager, or designee, pursuant to Section 1.
- Employees who have completed eleven (11) months of their probationary period as of the ratification of this 2024-2027 Agreement, shall complete the remainder of the twelve (12) month probationary period and will then be reviewed by the City Manager, or designee.
- Employees who have completed at least four (4) months or less of their probationary period as of the ratification of this 2024-2027 Agreement, shall be reviewed by the City Manager, or designee, after a period of six (6) months from the date the employee began working as a paid full-time employee of the City.

No cost impact.

Term of Agreement: the parties have agreed to a 3-year Agreement, effective October 1, 2024 through September 31, 2027.

No cost impact.