

**2018 CITY OF SAN JOSE – IAFF MOA NEGOTIATIONS
TENTATIVE AGREEMENT**

CITY COUNTERPROPOSAL TO IAFF – LABOR MANAGEMENT COMMITTEE

City Proposed Language:

ARTICLE 38 LABOR MANAGEMENT COMMITTEE

38.1 Department Labor Management Committee. There shall be a Department Labor Management Committee (LMC) consisting of representatives of the Department at the level of Bureau Director and above, members of the Association, and members of the City Manager's Office. The Fire Chief, or designee, shall sit as one of the Department representatives and any of the other LMC members may be replaced with an alternate from time to time.

The Labor Management Committee shall meet no less than quarterly and shall consider and discuss matters of mutual concern pertaining to the improvement of the Department and the welfare of its employees. Accordingly, the Labor Management Committee will not discuss grievances properly the subject of the procedural process except to the extent that such discussion may be useful in suggesting improved department policies. Either the Association representatives or the Department representatives may initiate discussion of any subject of a general nature affecting the operation of the Department or its employees.

An agenda describing the issue(s) to be discussed shall be prepared by the initiating party and distributed at least three (3) days in advance of each meeting, and minutes shall be kept and maintained.

All persons representing the parties sit as equals. Nothing in this section shall be construed to limit, restrict or reduce the management prerogatives outlined elsewhere in this agreement.

~~38.2 During the term of this contract, the LMC will discuss operational issues within the San Jose Fire Department, including but not limited to staffing issues (including staffing, outsourcing, civilianization, and emergency medical response/transport); premium pays and FLSA overtime; FFBOR training; Community Response Readiness; Safety apparel; Wellness Program effectiveness; Department Safety Officer; Driver's License requirements; and the Professional Standards Manual; and/or any issues that may arise from the San Jose Fire Department's organizational review that is currently underway. This LMC will also evaluate the "48/96" work schedule pursuant to a separate side letter.~~

~~Nothing in this section prevents the City and the Association from entering into an agreement regarding any of these issues prior to the Department's completion of the organizational review.~~

38.23 The Union or City may also suggest, recommend and/or allow an outside party to make presentations in the Labor Management Committee to provide relevant information. The cost, if any, associated with such outside parties will be borne by the party(s) requesting their presence.

* *This agreement is considered tentative and shall not be considered final or binding until a final agreement on all terms has been reached and both ratified by union members and approved by the City Council.*

FOR THE CITY:

 5/30/18

Jennifer Schembri Date
Director of Employee Relations

FOR THE UNION:

 5/30/18

Sean Kaldor Date
President, IAFF