

September 9, 2022

John Tucker
1150 N First Street #101
San Jose, CA 95112

RE: Fire Dispatchers

Dear John,

As we wrote to you on June 30, 2021, the City recognizes the work that Dispatchers perform, and we are committed to reviewing ways in which we can address recruitment and retention issues for positions in the Dispatcher series. That is why over the last few years, the City has agreed, outside of contract negotiations, to special wage adjustments, one-time non-pensionable lump sum bonuses, a hiring incentive, a referral bonus, an increase to Communications Dispatcher Training Pay, and expansions to the eligibility and rate of overtime, as shown in the attached letter from June 30, 2021.

We also believe it is important to note that since the City engaged in concession bargaining with the unions in the early 2010's, the Dispatcher series has received ongoing increases significantly more than other employees represented by MEF. That said, we do recognize the continuing recruitment and retention issues in the Fire Dispatch series and the City has evaluated the proposal that MEF provided on or about June 17, 2022, regarding various wage increases, premium pay increases, and new premium pays for Fire Dispatchers. The following is the City's counterproposal:

1. Base Pay Increase in Recognition of Juneteenth

Article 10.1.13 of the [MEF Memorandum of Agreement \(MOA\)](#) provides that the 6.5% Holiday-in-Lieu pay was rolled into base pay for the Dispatcher series on or about March 30, 2014, at which time there were 14 City-observed holidays. With the addition of Juneteenth as a 15th City-observed holiday, the City is proposing a special 0.46% increase base pay for PSRDs, Senior PSRDs, and Supervising PSRDs to account for this additional holiday. The City estimates the total cost of this proposal for Fire Dispatch at approximately \$45,400 ongoing.

2. Communications Dispatcher Training Pay

As mentioned above on December 11, 2020, the City and MEF reached a side letter agreement that provided for a temporary increase to the Communications Dispatcher Training Pay as outlined in Article 12.15 of the MEF MOA. This training pay was temporarily increased by 2.50% to a total of 7.50% for a period of two years. The City is proposing making this temporary increase permanent. MEF's proposal on this issue has included expanding eligibility to Senior PSRDs; however, the City is not amenable to that addition. The City estimates the total cost of this proposal for Fire Dispatch at approximately \$4,600 ongoing, based on Dispatcher Training Pay usage in payroll calendar year 2021.

3. Bilingual Pay

The City is proposing to match the premium pay provided to sworn police (Article 5.5.9 of the [POA MOA](#)) and fire personnel (Article 5.6 of the [IAFF MOA](#)), which is 2.5% of the top step of the journey-level classification. For Fire Dispatch, this would be a premium pay of 2.5% of the top step of the PSRD classification. This would be inclusive of the 5.00% ongoing non-pensionable compensation increase, as the parties agreed in 2018 that premium pays based on a percentage of pay would treat the ongoing non-pensionable compensation increase as base pay. Due to the small number of employees who received Bilingual Pay in payroll calendar years 2020 and 2021, it is difficult to estimate the costing of this proposal.

4. Hiring Incentive Pilot Program for Public Safety Radio Dispatcher

The City is proposing to resume a Hiring Incentive Pilot Program where new hires into the PSRD FT classification would receive a one-time, non-pensionable lump sum hiring incentive as shown in the following table:

Public Safety Radio Dispatcher FT	
Timing	Hiring Incentive Payment
Upon entering the Public Safety Radio Dispatcher Trainee classification	\$2,000.00
Upon entering the Public Safety Radio Dispatcher classification	\$2,000.00
Upon passing probation as a Public Safety Radio Dispatcher	\$2,000.00
Total	\$6,000.00

The payment of the one-time, non-pensionable lump sum hiring incentive to new full-time PSRD hires is contingent on the employee being continuously employed in the full-time PSRD classification through their one-year anniversary of passing probation in that classification.

If an employee receives any portion or all of the one-time, non-pensionable lump sum hiring incentive, and (a) separates from City employment, (b) accepts another position within the City that is not within the Fire Dispatch class series, or (c) transitions to a part-time PSRD position prior to their one-year anniversary of passing probation, the employee forfeits the one-time, non-pensionable lump sum hiring incentive and, to the extent permitted by law, will be required to reimburse the City for the entire amount of the hiring incentive they have received.

This Hiring Incentive Pilot Program shall remain in place for a period of 2 years from the effective date. See #5 for the estimated cost of this program.

5. MEF Referral Bonus Pilot Program for Referring a Successful Public Safety Radio Dispatcher

The City is proposing to resume a MEF Referral Bonus Pilot Program where MEF-represented employees who refer successful new hires into the PSRD FT classification would receive a one-time, non-pensionable lump sum referral bonus of \$7,500. This MEF Referral Bonus shall be paid once the new employee passes probation in the PSRD FT classification and would be in lieu of the City's existing Hiring Incentive Referral Program while this pilot

program is in effect. This MEF Referral Bonus Pilot Program shall remain in place for a period of 2 years from the effective date.

Employees involved in the recruiting and/or hiring of new full-time PSRDs in the Fire Department are not eligible to receive the MEF Referral Bonus.

The City estimates the total cost of the Hiring Incentive Pilot Program and MEF Referral Bonus Pilot Program to be approximately \$17,250 per year (\$34,500 in total) based on previous usage of a similar pilot program.

6. Premium Pay – Emergency Fire Dispatch (EFD) & Emergency Medical Dispatch (EMD) Certifications at an Accredited Center of Excellence

In recognition of the responsibilities of working at an Accredited Center of Excellence, as recognized by the International Academies of Emergency Dispatch, the City is proposing the creation of a premium pay for MEF-represented employees in Fire Dispatch who possess both EFD and EMD certifications. This would be an ongoing non-pensionable premium pay of 3.00% based on the employee's rate of pay, inclusive of the 5.00% ongoing non-pensionable compensation increase, as discussed above. The City estimates the total cost of this proposal for Fire Dispatch at approximately \$163,000 ongoing.

At this time the City is declining all other proposals made by MEF regarding Fire Dispatch. Please let us know if you would like to meet again for further discussions. We look forward to continuing discussions with MEF regarding this matter.

Sincerely,


Jennifer Schembri
Director of Employee Relations
Director of Human Resources

Attachment



Office of the City Manager

EMPLOYEE RELATIONS

June 30, 2021

John Tucker
1150 N First Street #101
San Jose, CA 95112

RE: MEF MOA Negotiations

Dear John,

During these negotiations on a successor Memorandum of Agreement (MOA), MEF has raised the issue of Dispatcher salaries, and I wanted to provide some information regarding the history of Dispatcher salaries at the City. The City recognizes the work that the Dispatcher series performs, and that special consideration needs to be given to address any recruitment and retention issues. That is why over the last few years, the City has agreed, outside of contract negotiations, to the following:

March 7, 2014:

- The City and MEF agreed that paid time off, excluding sick leave, shall be considered time worked for the purposes of determining overtime eligibility. This side letter agreement was extended multiple times and was subsequently incorporated into the MEF MOA.
- The City and MEF also agreed to provide the Dispatcher series with a special 3.00% pensionable wage increase.

November 5, 2015:

- The City and MEF agreed to provide the Dispatcher series with a special 3.00% non-pensionable lump sum retention bonus.
- The City and MEF agreed that all hours worked in excess of 12-hours in a single shift would be paid at the 2.0 rate for the PSRD series. This side letter agreement was extended multiple times and was subsequently incorporated into the MEF MOA.

January 15, 2020:

- The City and MEF agreed to provide the Dispatcher series with a special 6.00% pensionable wage increase.

It is important to note that in these discussions, the City initially proposed a special **10%** pensionable wage increase for the Public Safety Radio Dispatcher (PSRD) classification, and a special 5% wage increase for Senior PSRDs and Supervising PSRDs. However, MEF rejected that proposal and, instead, insisted that any increase would need to be split equally among all classifications in the Dispatcher series. As such, the City and MEF agreed to a 6% increase for all classifications in the series, despite other classifications in the series not having the same recruitment and retention issues as PSRDs, and despite multiple efforts by the City

to provide the PSRD classification with a higher wage increase because of a greater recruitment and retention need.

- The City and MEF also agreed to implement a Hiring Incentive Pilot Program (\$3,000 for Public Safety Communications Specialists (PSCS), and \$6,000 for PSRD) and a Referral Bonus Pilot Program (\$3,750 for referring a PSCS, and \$7,500 for referring a PSRD).

December 11, 2020:

- The City and MEF agreed to temporarily increase the Communications Dispatcher Training Pay described in Article 12.15 of the MEF Memorandum of Agreement (MOA) by two-and-one-half percent (2.5%), to a total of seven-and-one-half percent (7.5%) for a period of two years.

We also believe that it is important to note that since the City engaged in concession bargaining with the unions in the early 2010's, the Dispatcher series has received significant wage increases different than those generally received by the rest of MEF, including general and special wage increases as noted in the table below.

Dispatcher Series (MEF)		
	Pensionable	Non-Pensionable
2013-2014	5.06%	
2014-2015	3.00%	
2015-2016	3.00%	
2016-2017	3.00%	
2017-2018	3.00%	
2018-2019	0.00%	5.00%
2019-2020	9.18%	
2020-2021	3.00%	
TOTAL (compounded)	32.97%	5.00%

As we have discussed in our negotiation sessions with MEF, the most recent agreement regarding training pay does not expire until December 2022. We believe these changes are making an impact on the recruitment and retention issues, and believe it would be prudent to allow more time to evaluate this progress. The City is committed to meeting with MEF in June 2022, prior to the expiration of the training pay side letter agreement, to discuss the Dispatcher series, as indicated in our proposal.

Sincerely,



Jennifer Schembri
Director of Employee Relations
Director of Human Resources

c: Dave Sykes, City Manager
Jennifer Maguire, Assistant City Manager
MEF Negotiation Team
Matt Mason, Business Representative IFPTE