

City of Rock Springs)
County of Sweetwater)
State of Wyoming)

City Council met in special session on March 2, 2020. Mayor Timothy A. Kaumo called the meeting to order at 5:15 p.m. Members present included Councilors Rob Zotti, Keaton West, Jeannie Demas, and Billy Shalata. Councilors Tim Savage, Glennise Wendorf, David Halter, and David Tate were absent from the meeting. IAFF Local 1499 representatives present included Kyle McLendon, Luke Geffre, Amy Warne, Dominic Erramouspe, Rob Miller, Seth Lancaster, and Jake Hunt. Department Heads present included Richard Beckwith, Matt McBurnett, and Jim Wamsley. Staff present included Les Mauch, Angela Stephenson, Sandy McJunkin, and Kristyn Muniz. The pledge of allegiance was recited.

NEGOTIATION MEETING

Members of International Association of Fire Fighters Local 1499 and the Governing Body of the City of Rock Springs to continue the negotiation process for the Collective Bargaining Agreement between the IAFF Local 1499 and the City of Rock Springs

Councilor Zotti presented the City's counter proposal to the IAFF members, including that a one year term is proposed for wages in alignment with the economy and its outlook. Through the arbitration process, the City was forced to go to a 7 year maximum rate of pay, and 5 years is not agreeable. Any wage adjustments directly affect departments through the budget process. A 1.25% range movement is offered, and a cost of living adjustment at 1.25%. The language requiring all staff to become EMT Certified is proposed to retain language that the Fire Chief and Mayor will have discretion as to what is required of the job, and that adjustments should be up to the Fire Chief and the Mayor. Additional pay being changed back to a flat rate as opposed to a percentage is recommended by the City. For compensatory time off, the amount being changed to 480 is not supported by the City, because the 48 hour schedule was suggested to give more rest to the IAFF members, and it was agreed upon, yet the additional compensation allowance is stated to also give more rest to staff. Mayor Kaumo added that the City faces wage structure disruptions elsewhere, when a newer employee moves into a leadership position quickly, so the proposal of moving a Battalion Chief up in addition to the promotion would essentially be a raise on top of a raise. Insurance language was adjusted and presented. Excess funding was proposed to be stricken from the insurance section. Union business time off and paid leave is disagreed upon, as time off to address grievances is already allowed. The City accepts the Drug and Alcohol Policy changes presented to include NFPA standards and to allow for cancer screenings up to \$750 prior to separation from the City. Language to the use of Apparatus 4 was discussed to be changed to restrict personal use of apparatuses while on or off duty.

Amy Warne, IAFF Member, asked for clarification on the second year, that it would only be allowed for opening wages, which was confirmed. Luke Geffre, IAFF President, added that the wage movements in the last wage study conducted suggested 4-5% annually, which is not being adhered to, and leaves a large leap to take place when members' 7 years of service are up. Councilor Zotti stated that a 1% increase in the retirement fund share will be taking place as well and to keep that in mind. Ms. Warne added that a requirement to be employed at the Rock Springs Fire Department is becoming an EMT. ALS providers were negotiated to be paid as an additional pay percentage, which was seen to be above and beyond, and to incentivize employees to move toward paramedic certifications. Seth Lancaster stated that the percentage was added, as opposed to flat rates, in order to make it relevant as time goes on. Councilor Zotti asked whether the IAFF would be agreeable to adjusting the flat rate to accurately reflect the current

top firefighter pay. The compensatory time requirement was discussed to be allowed by the FLSA. Ms. Warne stated that promotions can be difficult when Captains earn more than Battalion Chiefs. Mayor Kaumo stated that in many cases this has not been a problem, as promotions are still accepted by members. This problem exists City-wide and if this change were to be accepted, it would disrupt the entire wage scale. Discussion took place regarding promotions. The history of wage adjustments from 2006 to current was summarized. The City is aware of range separation due to awarding cost of living adjustments and not higher range movements. Mayor Kaumo stated that the City is agreeable to do a wage study, as one is probably due. Insurance was discussed, and Matt McBurnett, Director of Administrative Services, verified plans and deductible amounts. The idea behind the changes to the Insurance section of the contract was to allow the Health Insurance Committee time to work, and to allow for one base plan, set in stone, and other options if members decide to choose them. The Health Insurance Committee decides what the City's HRA/HSA contributions will be. Excess funds relating to insurance were discussed, and clarified as to how they could be spent. Mr. Geffre stated that he would feel more comfortable if the excess fund language was changed, not deleted, as the City proposes. Mayor Kaumo asked, in regard to Union Business Time Off, whether elected Union members were allowed to take time off for grievances, to which Mr. Geffre confirmed but clarified that the proposed change is for all Union business, not just grievances. Mayor Kaumo replied that the City is against this. Mr. Geffre added that there are benefits of the Union to the City as well, including grant writing courses, and other skills or resources. Mayor Kaumo specified that he will not be in agreeance with any of this, particularly because there is no language in the proposal that would allow this paid leave at the Fire Chief or Mayor's discretion. Putting a limit on the time spent away was reduced to a certain amount of shifts and this language may be agreeable. In the Drug and Alcohol section, Ms. Warne asked for clarification of the counter proposal. Mayor Kaumo stated that the City pays the bill for physicals, and agrees that the value of physical examinations that comply with the NFPA standard requested are important. Language to be edited was discussed. Apparatus use language was addressed, and was stated to have concerns related to personal use. Personal activities such as working on a vehicle while on duty could be considered as a liability issue with regard to worker's compensation and the liability could be eliminated by not allowing personal activities in the apparatuses while on duty.

Battalion Chiefs being excluded from voting was discussed. Mr. Geffre stated that Battalion Chiefs essentially have administrative duties on top of other duties, which can include Captain or Firefighter duties. The voting process was discussed, and it was expressed that upper supervision has used their weight to sway a vote for a particular issue in the past. The function of the Battalion Chief was discussed, and whether the position performs Firefighter duties.

Councilor Zotti asked for clarification regarding the \$750 limit for the exit physical, and whether that would be agreeable, to which Ms. Warne stated that she would need to research this particular part of the counter proposal further.

EXECUTIVE SESSION—Personnel

Moved by Councilor West, seconded by Councilor Shalata to move into Executive Session at 6:33 p.m. Motion carried unanimously.

RECONVENE

Moved by Councilor Zotti, seconded by Councilor Demas to reconvene from Executive Session at 7:31 p.m. Motion carried unanimously.

Councilor Zotti asked Mr. Geffre what was decided regarding the counter proposal. Mr. Geffre stated that they would like to see a 2.2% for Cost of Living and a 3.5% range movement in the first year, and that the second year be whatever the 2nd quarter number for the Cost of Living Index comes in at, with a 5% range movement. Councilor Zotti stated that the City remains firm on its counter proposal. The City agrees to the proposed change requiring staff to be EMT certified, but would like to further discuss additional pay. Mayor Kaumo asked for all additional pays to be flat rates, to which Ms. Warne stated that the current percentage rates for additional pays were fought for and they would not like to see them go backward. Mr. Geffre stated that they agree to remove the compensatory time off from their proposal. The proposal for adjusting the Position of a Higher Rank section was requested to be reclassified, in whichever way it needs to happen. Ms. Warne asked about flexibility when it comes to wage studies and their outcome, and Mr. McLendon stated that other positions have been reclassified in the past, and asked whether the Battalion Chief could also be reclassified. Discussion took place regarding ranks, positions, and reclassifications. The Insurance counter proposal was accepted, with excess funding to be changed slightly to include these funds being spent by majority vote of the Health Insurance Committee. Councilor Zotti clarified that regarding Union Paid Time Off, language will be submitted by the Union to the Council to add the discretion of the Fire Chief or Mayor. Discussion took place regarding this proposal and how much time off may be required to attend Union conventions and training sessions. Councilor Zotti stated that regarding the physical requirement, adding language that states “using a care provider that is recommended by the Union and acceptable to the City” was suggested to be added, which was agreed upon. Mr. Geffre touched on the language that includes the deductibles and the HRA/HSA amounts. The base plan is the only one that has an amount tied to it. The Union would like to see the amounts of the City’s contribution added to the contract regarding the HRA/HSA accounts for the high deductible plans. Councilor Zotti stated that if amounts are put into the contract, it can complicate things. Discussion took place regarding different options to include an amount somehow for the City’s contribution, to draw participants to the new cost-saving high deductible plans. Mayor Kaumo reiterated that it is critical for two Union members to be on the Health Insurance Committee, to provide input in this process. Regarding the counter proposal for the use of apparatuses, the Union recommends adjusting the language to allow for use of the bay for light maintenance and vehicle washing, with the Officer-In-Charge’s permission. It was also suggested to use common sense, as well as continuing to allow off-duty members and retirees.

Mayor Kaumo stated that the 5% range movement is simply not going to happen, and the City is proud of all of its employees and realistically, it just cannot come up with the funds to pay this. We know that we are receiving less revenue from the State and with the Specific Purpose Tax coming, the City is unsure where the funding will be coming from, even with what was offered in the counter proposal. The history of cost of living adjustments was discussed, and what might happen in the second year when the Cost of Living Index 2nd quarter numbers are published. Mayor Kaumo clarified that there is only a certain amount of money to allow the City to do what it can do.

The next negotiation meeting was set for March 10, 2020, at 5:15 p.m. in the City Hall Downstairs Conference Room.

ADJOURNMENT

There being no further business, the meeting adjourned at 7:48 p.m.

By: _____
Council President

ATTEST:

City Clerk

Mayor