



## Legislation Details (With Text)

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<b>Type:</b>	Ordinance	<b>Status:</b>		Agenda Ready	
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<b>On agenda:</b>	9/25/2018	<b>Final action:</b>		12/31/2018	
<b>Title:</b>	Approving the revision of the current Collective Bargaining Agreement between the City of Toledo and Toledo Police Command Officers' Association, TPCOA, for a successor agreement, consistent with the bargained understandings; and declaring an emergency.				
<b>Sponsors:</b>					
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Tentative Agreement, 2. Memo				

Date	Ver.	Action By	Action	Result
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Toledo Police Command Officers' Association, TPCOA Tentative Agreement  
HR Dept.-Michael Niedzielski (x2182); Anthony Markwood (x1525)

### **Approving the revision of the current Collective Bargaining Agreement between the City of Toledo and Toledo Police Command Officers' Association, TPCOA, for a successor agreement, consistent with the bargained understandings; and declaring an emergency.**

#### **SUMMARY & BACKGROUND:**

The City of Toledo and Toledo Police Command Officers' Association ("TPCOA") reached a tentative agreement over terms that revise the current collective bargaining agreement, which expired on December 31, 2017, for a successor agreement, for the new term of January 1, 2018 through December 31, 2020. The Union ratified that tentative agreement on September 5, 2018. Pursuant to Ohio Revised Code section 4117.10(B), the economic provisions of that agreement are now being submitted to City Council for consideration and passage. If not acted upon within 30 days, the agreement is deemed approved.

Pursuant to the statutory bargaining process under the Ohio Revised Code, the City and the Union met multiple times during the last several months to negotiate the terms of a successor agreement.

The tentative agreement reached increases the timeframe the City has to fill vacancies from sixty (60) to ninety (90) days. The agreement also provides revisions to the drug and alcohol testing policy to include testing criteria for alcohol and random drug and alcohol testing. Further, the agreement significantly reduces the amount of union release time and reduces the number of members permitted to negotiate a successor collective bargaining agreement. In addition, consistent with some other bargaining units, the agreement establishes a five (5) year timeframe from which the City can recoup educational expenses for those employees who take advantage of that benefit, only to leave the City upon completion of their studies.

Regarding the economic terms, the agreement eliminates the wage spread for Command Officers which has

existed for approximately 26 years. Previously, the spread between a Patrol Officer and a Sergeant was 25%, the spread between a Sergeant and Lieutenant was 15%, and the spread between a Lieutenant and a Captain was 13%. Further, instead of paying the full, appropriate Sergeant wage, the agreement establishes a 6-month probationary wage rate for Sergeants. The agreement provides for a 1.5% base pay increase in January 2018, another 2.5% increase in January 2019, and a 3% increase in January 2020. There is also an increase in the shift premium for Command Officers assigned to 2<sup>nd</sup> and 3<sup>rd</sup> shift, from \$0.50 per hour to \$0.75 per hour, to make these shifts a more desirable assignment. To recognize the importance of physical fitness, the agreement provides a \$275 stipend for the maintenance of physical fitness. Also, the agreement provides on-call pay to Command Officers designated as on-call, to reflect parity with the police officers they supervise.

In order to maintain parity with the Toledo Police Patrolman's Association Career Enhancement Program, the agreement adds a category for Command Officers in the Investigative Service Bureau ("ISB") and increases the amount for ISB Senior Command Officers with 15 years of experience. The agreement also provides an additional discretionary vacation day. To encourage retention and recognize Command Officers with at least 10 years of service with the Toledo Police Department, the agreement provides an annual 3% lump sum Senior Command stipend. Lastly, to help curb health care costs, the agreement provides for an increase in the emergency room co-pay from \$65 to \$200. To reflect parity with some of the other bargaining units, this agreement increases the maximum payment for major and minor dental services from \$1,000 to \$1,300. The remaining terms of the health care provision remain the same, with the parties agreeing to continue to negotiate that issue together with the other affected bargaining units as part of a multi-unit bargaining.

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That the economic terms of the tentative agreement between the City of Toledo and the Toledo Police Command Officers' Association, as set forth in the attached Exhibit A, are approved.

SECTION 2. That the Mayor and the Department of Human Resources are hereby directed to prepare and present to Council, as soon as practicable after the passage of this Ordinance, legislation to amend the relevant sections of Chapter 2109 of the Toledo Municipal Code to comport with the agreement approved herein.

SECTION 3. That this Ordinance is declared to be an emergency measure and shall be in force and effect from and after its adoption. The reason for the emergency lay in the fact that same is necessary for the immediate preservation of public peace, health, safety, and property, and for the further reason that same is necessary to timely exercise Council's rights and responsibilities under Ohio Revised Code Chapter 4117 pursuant thereto.

Vote on emergency clause: yeas \_\_\_\_\_, nays \_\_\_\_\_.

Passed: \_\_\_\_\_, as an emergency measure: yeas \_\_\_\_\_, nays \_\_\_\_\_.

Attest: \_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council

\_\_\_\_\_.

Attest: \_\_\_\_\_  
Clerk of Council