

➤ **Annual Town Meeting Article 5**

from A&F Meeting 3/30/16

Melissa Arrighi, Town Manager, presented ATM Article 5. Assistant Town Manager, Derek Brindisi, was also available for questions as he was very involved with collective bargaining this year. The town has 9 collective bargaining units. Agreements run in 3 year cycles simultaneously. Health insurance was recently removed from table bargaining and is now covered by the PEC process in accordance with Mass General Laws. All collective bargaining agreements are available on the town's website under the Human Resources page. This new cycle covers FY16, 17 and 18. OPEIU and Fire were voted on at Fall Town Meeting and SEIU was recently heard as Special Town Meeting Article 1. The remaining 6 bargaining units are included in this ATM Article 5. Those include Police Superiors, Patrolmen, DPW COBRA and then a 1 year COLA only agreement with three other COBRA units: Library, Dispatchers and Crossing Guards/Meter Enforcement. Changes to their contracts were discussed and outlined in the MOAs – Memorandums of Agreement. Changes include:

Police Superiors

7 ½% COLA over 3 years: FY16 2%, FY17 2 ½ %, FY18 3%

Added 12th holiday (day after Thanksgiving)

Increase in uniform allowance

Increase in longevity pay

Increase in night shift differential

Added a specialty position and stipend

Added a medical stipend

Added controls to limit length of time for leave of absence

Added controls on vacations in excess of 2 weeks

Added notifications for criminal action, prescription drug use, driver's license restrictions

Working towards a drug and alcohol policy

Questions:

- Will this help with issues discussed at Fall Town Meeting? (C Merrill) as far as PTSD, no language was discussed.
- Is there a social media policy in their contract? (C Merrill) That would typically fall under Conduct Unbecoming, no changes to that language in this contract.
- What are the concepts of the drug and alcohol policy that is coming? (H Helm) The Fire Department has one in place regarding testing, that will be used as a basis for Superiors and Patrolmen, How tested, when, how often, random or set, mobile lab or other, observed or unobserved, etc. We are setting up a meeting in two weeks and will start to work through the details.
- What is the time frame to remove letters of reprimand from their files? (K Canty) This contract covered elimination, no time frame.
- I have concerns about the civil or criminal action which I have mentioned and discussed previously. (K Canty)
- Item #10 seems to have a discrepancy? (H Salerno) The official employee record stays with Human Resources but the Police Chief does keep some police related files. We need to look at the full agreement to read that language.
- The new financial increases all start in year 2 except the COLA which is in salary reserve, correct? (J Moody) Yes

Patrolmen

7 ½% COLA over 3 years: FY16 2%, FY17 2 ½ %, FY18 3%

Added 12th holiday (day after Thanksgiving)
 Increase in uniform allowance
 Increase in longevity pay
 Increase in night shift differential
 Added a medical stipend
 Expanded accreditation language
 Added controls to limit length of time for leave of absence
 Added controls on vacations in excess of 2 weeks
 Added notifications for criminal action, prescription drug use, driver's license restrictions
 Working towards a drug and alcohol policy
 Added a notification requirement to take vacation

Questions:

- Why did you keep the within 24 months discipline language remains in this agreement? (K Canty)
 The Superiors are easy to negotiate, as managers they have a different view and there was no debate on personnel files. With the Patrolmen, the union leaders felt very strongly about this issue in that it can be kept in the file but not used against the employee after 24 months.
- Why keep it if it can't be used for discipline? (H Helm) It is important for management to know, to help corrective behavior, and if there is a related infraction or patten it can be linked and used.
- What is the total cost of the COLA? (J Moody)

	Year 1	Year 2	Year 3
Superiors	31,000	70,000	117,000
Patrolmen	109,000	247,000	418,000
DPW COBRA	75,000	170,000	285,000
Other COBRA	21,000	48,000	81,000

Essentially for every 1% COLA for Town and School, it equates to about \$1 million.

DPW COBRA

7 ½% COLA over 3 years: FY16 2%, FY17 2 ½ %, FY18 3%

Added ½ day holiday for Christmas Eve

Added 2% senior step after year 10

Increased longevity pay

Clarified language regarding contracting out (had 20-30 grievances regarding this in last 10 years)

Delete language regarding removing discipline from file

Added controls on vacation in excess of 2 weeks

Clarified bereavement language

Added notifications for criminal action, prescription drug use, driver's license restrictions

Extended probationary period from 3 months to 9 months

Other COBRA: Library, Dispatchers, Crossing Guards/Meter Enforcement

This is a one year rollover adding only the FY16 2% COLA

Language changes so next agreement will be a two-year agreement to keep all bargaining units on the same recurring 3 year simultaneous schedule

Questions for all COBRA units including DPW:

- The contracting out language seems vague, how will it affect the cleaning of the new restrooms? (H Salerno) The language is significantly better than the language that was in there. Cleaning the bathrooms outside of the town buildings is not COBRA work so this language will not affect it.

- Why was the probationary period tripled? (K Canty) 3 months is not enough time to really evaluate an employee's performance, 9 months is more reasonable particularly in a department of this size.

Harry Helm made a motion to recommend ATM Article 5 to Town Meeting. Harry Salerno, second.

Discussion:

- I am concerned by a few things including the notice of arraignment for criminal or civil violation as well as the different language for the personnel files within the same department for superiors and patrolmen. After 2 years the slate should be wiped clean. I will vote in favor but wanted to flag these issues. (K Canty)
- We are seeing a lot of material in a very short period of time. I do not want to deny raises, these are not excessive, they are fair. I will vote in favor because these were negotiated by management, it seems very rushed but the majority of these expenses are COLAs, employees are expensive. (H Salerno)
- The average 2016 pay raise in the United States was 3% so this is not unreasonable. Employee pay is a huge part of where taxpayer money goes to, we have to find a way to get employee costs under control, this needs a closer look. (H Helm)

The motion carries unanimously (8-0-0).