



# VILLAGE OF KEY BISCAINE

Office of the Village Manager

*Village Council*

Robert L. Vernon, *Mayor*  
Jorge E. Mendia, *Vice Mayor*  
Michael Davey  
Enrique Garcia  
Steve Liedman  
Thomas Thornton  
Patricia Weinman

*Village Manager*

Genaro "Chip" Iglesias

**DT:** August 20, 2008

**TO:** Honorable Mayor and Members of the Village Council

**FR:** Genaro "Chip" Iglesias, Village Manager

**RE:** Proposed Resolution of the Village Council Providing For Ratification of the Collective Bargaining Agreement Between the Village and the Key Biscayne Professional Firefighters Association, Local 3638, for the Bargaining Unit that Consists of Fire Captains

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## RECOMMENDATION

It is recommended that the Village Council consider the adoption of the enclosed resolution which authorizes and approves the ratification of the Collective Bargaining Agreement ("Agreement") between the Village of Key Biscayne ("Village") and the Key Biscayne Professional Firefighters Association, Local 3638 ("Firefighters' Union"), for the bargaining unit that consists of Fire Captains.<sup>1</sup>

## AGREEMENT HIGHLIGHTS AND SUMMARY

The Agreement is for a three (3) year term and expires on September 30, 2010. The following key sections of the Agreement have been summarized for the Council's convenience:

- **Salary.** All union members will receive market salary adjustment increases of seven percent (7%) retroactive to October 1, 2007, two percent (2%) effective October 1, 2008, and two percent (2%) effective October 1, 2009. Union members will receive a three percent (3%) cost of living increase for fiscal years 2008, 2009, and 2010.
- **Pension.** The following changes have been agreed upon:
  - (a) Union members who reach normal retirement age will be eligible for a five year DROP.

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<sup>1</sup> The Agreement also sets forth the terms and conditions of employment for the bargaining unit that consist of firefighters/paramedics, driver engineers, fire lieutenants and executive assistants to the Fire Chief, which will be addressed in a separate resolution. Prior to this Agreement, the Village had separate bargaining agreements for both bargaining units.

- (b) Union members will be eligible to participate in a Share Plan that will allow for the deposit of 175 excess funds into each member's individual Share Plan.
  - (c) Union members will be allowed to elect service retirement at the age of fifty-five (55), or on the basis of his or her combined age and creditable service equaling seventy-five (75), so long as the union member has reached the minimum vesting requirements.
  - (d) Union members' retirement allowance will continue to be 3% times the years of creditable service of the employee's average final compensation for the first 15 years of service, but will be increased to 4% for years of service in excess of 15 years.
- **Professional Enhancement.** Under the new agreement, union members will be reimbursed at the Florida state tuition rate for all accredited degree courses taken in a job related field. The enhancement is available after completion of an employee's probationary period and requires that the union member maintain a "C" or better grade in his or her courses. The enhancement paid to the union member will be offset by any grants he or she receives, and in the event the union member leaves employment with the Village within one year of his or her completion of the courses paid for by the Village, the union member must reimburse the Village for one hundred percent (100%) of such courses. If the union member leaves employment with the Village more than one year but less than two years after completion of courses paid for by the Village, the union member will be required to reimburse the Village for fifty percent (50%) of such courses.
  - **Sell Back of Accrued Leave.** This is a new benefit the Village is offering to union members. The benefit will allow union members to sell back to the Village accrued vacation, comp time, and sick leave on an annual basis. To receive the benefit, union members must submit a written request by May 1<sup>st</sup> of each year and will be paid according to such request in the first full pay period of the following October. The Agreement does not place any restrictions on the amount of vacation or comp time that can be sold back; however, shift employees must maintain sick leave balances of not less than one hundred and forty-four (144) hours and non-shift employees must maintain sick leave balances of not less than eighty (80) hours.
  - **Sick Leave Accrual.** The Village has increased the number of sick leave hours a union member earns for each month he or she has worked (from 8 to 10 hours per month for 40 hour/week employee and from 12 to 14 hours per month for 48 hour/week employee).

cc: Stephen H. Helfman, Village Attorney

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**RESOLUTION NO. 2008-**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA (“VILLAGE”), PROVIDING FOR RATIFICATION OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE VILLAGE AND THE KEY BISCAYNE PROFESSIONAL FIREFIGHTER’S ASSOCIATION, LOCAL 3638, FOR THE BARGAINING UNIT CONSISTING OF FIRE CAPTAINS; AUTHORIZING THE VILLAGE MANAGER TO SIGN THE COLLECTIVE BARGAINING AGREEMENT ON BEHALF OF THE VILLAGE; AUTHORIZING THE VILLAGE MANAGER TO TAKE ALL ACTION NECESSARY TO IMPLEMENT THE COLLECTIVE BARGAINING AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Village of Key Biscayne (“Village”) desires to ratify the Collective Bargaining Agreement (“Agreement”) between the Village and Key Biscayne Professional Firefighter’s Association, Local 3638 (“Firefighter’s Union”), for the bargaining unit consisting of Fire Captains (a copy of the Agreement is attached hereto as Exhibit “A”); and

**WHEREAS**, the Village Council finds that ratification of the Agreement is in the best interest of the Village.

**NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:**

**Section 1.** The foregoing whereas clauses are true and correct and are incorporated herein by this reference.

**Section 2.** Ratification of the Agreement between the Village and the Firefighter’s Union, in substantially the form attached hereto as Exhibit “A,” is hereby authorized and approved.

**Section 3.** The Village Manager is hereby authorized to execute the Agreement on behalf of the Village.

**Section 4.** The Village Manager is authorized to take all actions necessary to implement the Agreement and the purpose of this Resolution.

**Section 5.** This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 26th day of August, 2008.

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MAYOR ROBERT L. VERNON

ATTEST:

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CONCHITA H. ALVAREZ, CMC, VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

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VILLAGE ATTORNEY

**SAME AS**

**ITEM 9A**