

ORDINANCE NO. 5858, AS AMENDED

**AN ORDINANCE TO AMEND FAIRBANKS GENERAL CODE SECTION
42-1 REGARDING LABOR RELATIONS**

WHEREAS, the City's mission is to provide essential municipal services; and
WHEREAS, the terms of the City's collective bargaining agreements have a large impact on the cost of providing essential municipal services; and

WHEREAS, it is the policy of the City to seek continuous improvements to the labor agreements in order to operate efficiently while compensating employees fairly; and

WHEREAS, the City's labor code is outdated in areas, and current policy needs to be set,

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows:

Section 1. That Fairbanks General Code Section 42-1 is amended as follows (new text in **bold and underlined** font, deleted text in ~~strikeout font~~.

Sec. 42-1. - Labor relations.

The mayor shall have the basic responsibility for the labor relations as set forth in this chapter, **unless the Council by majority vote selects a different spokesperson. The spokesperson** He specifically shall:

- (1)(a) Have the authority to negotiate with representatives of employee organizations representing city employees for the purpose of arriving at collective bargaining agreements as to wages, hours and terms or conditions of employment. The council by majority vote may delegate ~~the responsibility for negotiations to~~ a qualified individual ~~or entity~~ **to be a member of the negotiating team** without negating the authority of the mayor **to act as sole spokesperson for negotiations, provided that the Mayor may designate an alternate. The Mayor shall present any such**

agreements as may be negotiated to the city council, along with an explanation and cost analysis, and Any such

~~agreements as may be negotiated between the city~~ shall not be effective unless and until approved by ordinance of the city council. In negotiating contracts, the Mayor will use provisions of the personnel program, unless directed otherwise, as guidelines to be achieved. The basic goal will be to treat city employees in a similar manner as much as appropriate, and to pay similar wages for similar work.

- (b) Any amendments to a labor contract negotiated during the life of the contract shall not be effective unless and until approved by ordinance of the city council. The mayor shall convey the proposed amendment to the city council with explanation and cost analysis for the city council's consideration.

(2) Conduct labor negotiations in a manner as follows:

- (a) Prior to negotiations for a replacement bargaining agreement (or any part of an agreement), or at any time as the city is under a lawful obligation to bargain economic terms of employment, the mayor shall present to the city council a copy of the expired collective bargaining agreement, where applicable, and a proposed replacement agreement.

- (b) The proposed replacement agreement shall be presented to the city council at least one month prior to the commencement of negotiations. The city council shall meet and discuss the replacement agreement and shall provide discernible direction to the mayor concerning strategies, goals, objectives, etc.

- (c) The city council shall review and identify noneconomic bargaining items upon which the mayor may commence negotiations and reach tentative agreement. The city council shall review and identify economic bargaining items upon which the mayor may commence negotiations; however, the mayor shall

make no tentative agreement to any economic proposal which substantially deviates from the city council's approval prior to receiving further approval.

(d) The mayor shall provide the city council with ~~quarterly~~ **periodic** information reports which shall describe the status of pending negotiations.

(e) Upon completion of negotiations, the mayor shall, where applicable, present to the city council for ratification all tentatively agreed upon provisions in the replacement bargaining agreement.

(f) The provisions of section 50-83 regarding the one-year period of ineligibility for the employment of former city councilmembers shall be included in all collective bargaining agreements.

(g) The mayor shall ~~analyze all nine labor contracts and~~ look for a common policy on boiler plate language which will be consistent in each contract. This completed document shall be submitted to the different labor organizations and city council for review. A meeting shall be scheduled with all parties to establish a procedure for incorporation of the language into the contracts.

(h) **In preparing for negotiations,** ~~the mayor shall conduct a comprehensive wage and benefit survey before each contract is negotiated. This survey shall~~ incorporate **compensation** data from the public and private sector.

(i) The mayor shall negotiate **a competitive** wages and benefits **package** ~~at the average level revealed by the survey.~~ Wages and benefits which are found to be above average shall be frozen until such time as ~~the survey reveals such wages and benefits have~~ fallen below average.

(j) All **substantive** labor negotiations; ~~with the exception of original negotiating strategies,~~ shall be negotiated in open sessions.

(k) Not more than three on-duty union member employees may take part in negotiations. ~~The negotiation teams shall consist of no more than three per side.~~

(l) Individual members of the city council shall not enter into separate negotiations with any union representative or member organization. From the date of the Mayor's transmittal as provided in sub-section 2(b) until the ratification of the ordinance, all communication regarding issues in negotiation, both written and oral, from the union should be addressed to members of the City's negotiating team and not to individual council members.

(m) The city negotiating team shall be solely embodied to negotiate on behalf of the city council.

(n) The city council shall be remains committed to the following goals during the negotiating process:

1. Reward superior employees with merit pay increases in lieu of ~~Elimination of~~ increases based solely on longevity pay for new hires.
2. Fair and reasonable deductibles in medical insurance.
3. Analyze possible alternatives to the state public employees retirement system plan.
4. Limiting personal leave to reasonable levels ~~The use of accumulated leave time in a year by the end of the year with balances forfeited to the city.~~
5. Consistency between bargaining units, as well as between union and non-union employees.
6. Negotiate contracts with annual wage & benefit reopeners if future sources of funding are not secured.

7. Seek to eliminate terms with complex pay premiums, work rules that reduce productivity, or other terms that impede accountability.

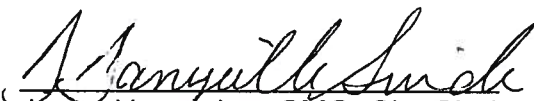
Section 2. That the effective date of this ordinance shall be the 24th day of September, 2011.



Jerry Cleworth, Mayor

AYES: Matherly, Bratcher, Roberts, Stiver, Gatewood, Eberhart
NAYS: None
ABSENT:
ADOPTED: September 19, 2011

ATTEST:


for _____
Janey Hovenden, CMC, City Clerk

APPROVED AS TO FORM:



Paul Ewers, City Attorney