

ORDINANCE NO. 6211

AN ORDINANCE AMENDING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF FAIRBANKS AND THE FAIRBANKS FIREFIGHTERS UNION IAFF LOCAL 1324 (FFU) TO CHANGE THE DAILY STAFFING RULES, ADMINISTRATIVE OFFICER SCHEDULE, AND PROMOTIONS AND PROBATIONARY PERIODS

WHEREAS, the City of Fairbanks and FFU ratified a collective bargaining agreement (CBA), effective October 1, 2021 through September 30, 2024; and

WHEREAS, changes to the CBA are subject to member ratification and City Council approval; and

WHEREAS, Section 6.3 of the October 1, 2021 CBA specifies the daily staffing rules, Section 6.11 specifies the administrative officer schedule, and Article 19 specifies promotions and probationary periods; these requirements do not meet the current years of service and experience and creates an inefficient use of personnel; and

WHEREAS, the City of Fairbanks and FFU collectively bargained and agreed to amend the current CBA to change the requirements in Section 6.3, Section 6.11, and Article 19.

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

SECTION 1. The Letter of Agreement amending the current CBA between the City of Fairbanks and FFU, attached as Exhibit A, is approved and ratified.

SECTION 2. The effective date of this Ordinance will be the 1st day of August 2022.



Jim Matherly, City Mayor

AYES: Gibson, Therrien, Clark, Marney, Rogers, Cleworth
NAYS: None
ABSENT: None
ADOPTED: July 11, 2022

ATTEST:

APPROVED AS TO FORM:



D. Danyielle Snider, MMC, City Clerk



Paul J. Ewers, City Attorney

CITY OF FAIRBANKS
FISCAL NOTE

I. REQUEST:

Ordinance or Resolution No: 6211

Abbreviated Title: ORDINANCE AMENDING FFU CBA TO CHANGE DAILY STAFFING

Department(s): FIRE

Does the adoption of this ordinance or resolution authorize:

1) additional costs beyond the current adopted budget? Yes _____ No x

2) additional support or maintenance costs? Yes _____ No x

If yes, what is the estimate? see below

3) additional positions beyond the current adopted budget? Yes _____ No x

If yes, how many positions? _____

If yes, type of positions? _____ (F - Full Time, P - Part Time, T - Temporary)

II. FINANCIAL DETAIL:

PROJECTS:	TOTAL
OVERTIME COSTS	\$ (450,000)
TOTAL	\$ (450,000)

FUNDING SOURCE:	TOTAL
GENERAL FUND	\$ (450,000)
TOTAL	\$ (450,000)

The proposed changes to the current Fairbanks Firefighter Union Collective Bargaining Agreement include daily staffing rules (Section 6.3), administrative officer schedule (Section 6.11), and promotions and probationary periods (Article 19). These changes will impact the overtime costs for the City of Fairbanks. The City of Fairbanks overtime costs increased by 33% in 2020 and 2021; the proposed changes will reduce the overtime costs in future years to amounts prior to 2020.

Reviewed by Finance Department: Initial mb Date 6/20/2022

Letter of Agreement
IAFF 1324 and City of Fairbanks
April 2022

The Fire Department Administration along with the City of Fairbanks and Fairbanks Firefighters agree to implement changes to the CBA. The intent of this document is to separate acting from promotions, make changes to daily staffing rules and create joint Department/Union policy on acting/promotion requirements. Furthermore, acting restrictions will be stricken from the CBA to have overtime in advance rules.

6.3 Daily Staffing Rules

A. Completion of Daily Roster. The Battalion Chief is responsible for setting the daily roster in accordance with this CBA and any directives from the Fire Chief.

1. Before 8 a.m. of each shift
 - a. At or above minimum staffing:
 - i. Complete roster with available personnel;
 - ~~ii. Utilize voluntary actors to fill vacancies;~~
 - ii. Assign actors to fill vacancies;
 1. Two on-shift actors per 24 hour shift.
 2. If overtime is still needed, use 6.3.A.1.a.iv
 - a. Additional actors may be used to prevent forcing.
 3. CO will count towards the two actors per day.
- iii. Hire remaining needed classifications in the following order:
 1. Battalion Chief
 2. Captain
 3. Driver
 4. Firefighter - The classification of firefighter for this section shall mean all Members presently in that classification.

B. Below minimum staffing:

- i. Complete roster with available personnel;

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6. Notification for overtime will be made by the Battalion Chief and not considered accepted unless the contacted Member has personally responded.

7. The Battalion Chief shall let the Member's single designated telephone number ring 4-10 times or until the answering machine picks up before moving on to the next Member on the manning overtime list.

8. Answering systems may be used. When the message has been left, the Battalion Chief shall move on down the contact list attempting to reach other Members. If a Member using an answering system calls in before the overtime position has been filled, that Member shall be given the opportunity to fill the position, otherwise the call to them shall be logged as no contact.

9. If the Battalion Chief is on a phone contact with the next Member on the contact list when the Member contacted by answering system calls in, the Battalion Chief shall complete that call either logging as no contact or offering the opportunity, if contact is made prior to offering the opportunity to the Member contacted by answering system.

10. The Fire Chief and Union will agree in writing per department policy for filling overtime in advance, all CBA rules apply.

4011. Notification for overtime needed at normal shift change will be made during the 30-minute period immediately preceding shift change. If it is known that overtime will be required at some time during the oncoming shift, but after shift change, the Battalion Chief shall attempt to fill assignments for those time periods during the 30-minute period prior to shift change.

4112. When an unanticipated overtime opportunity becomes available after shift change and the Battalion Chief already has scheduled an off-duty Member for an overtime opportunity during the 30-minute morning period, the Battalion Chief shall attempt to contact the scheduled Member first and offer them the choice of the scheduled overtime or the unanticipated overtime.

4213. A Member scheduled for the overtime must confirm the overtime during a one-hour window, prior to the reporting time, by contacting the Battalion Chief. If the Battalion Chief's phone is not being answered, the Member shall contact the Dispatcher, who will relay the request for confirmation to the Battalion Chief.

4314. If the overtime is not required and a Member reports for duty without confirmation contact being made, the City shall not be liable for any claim to overtime by that Member.

4415. If an on-duty Member must be held over until an off-duty Member reports for overtime assignment, the Battalion Chief may ask for volunteers among qualified Members for the assignment. If more than one qualified

D. Serving Out of Classification

1. Involuntarily Working Down Classification

- a. The City agrees to use Members within their respective classification.
- b. If there are more Members of a classification than there are normal job assignments for that classification, the extra Member(s) may be, on a temporary basis, involuntarily assigned to a lower classification, and the Member shall be paid at the higher classification rate.
- c. When a Member is being involuntarily assigned to work out of classification, the Member, if qualified, shall be offered his their choice of assignments prior to utilizing Acting Time.
- d. Members who have previously held a classification, and remain qualified, are not considered actors and not subject to the restrictions listed in this section. Example: Battalion Chiefs shall not count as actors when utilized as a Captain and Captains who remain driver qualified do not count as actors.
- e. A Captain or Battalion Chief, who formerly held the classification of Driver, will not be assigned the duties of Driver unless they have completed a Department apparatus proficiency certification within the previous Two-year, and must have 12 hours of drivers training each of the previous years (NFPA/ISO)
- f. Members involuntarily working down a classification will not displace a member normally in that classification. Only exception will be for paramedics being assigned to the front-line ambulance.
- g. The City shall maintain a list of each qualification and the Members who are eligible to work in that classification.

2. Acting Time

- ~~a. The City shall maintain a list of Members qualified to be actors. The list shall be based on the promotional list. See Appendix C for LOA~~
- ~~b. Filling of vacancies will be by offering to the qualified Member on that shift, who is available and is the highest ranking on the promotional list for the classification being filled.~~
 - a. The Fire Chief shall maintain a list of members qualified to be actors. The qualifications will be in writing and agreed upon between the Fire Chief and Union.
 - b. Once all training has been completed members will submit their training records with a request to be placed on the acting list to the administration.

Commented [1]: This all is covered by 6.3.B.4

d. — Actors will be paid at the classification rate in which they are acting.

5. — Pre-promotion acting

1. — Acting Process

- a. — Members may become eligible to act once they have met all the eligibility requirements.
- b. — Members may remain actors separate from the promotional process.
- c. — Acting requirements may be changed in December for the next year with agreement between the Union and Department
- d. — CBA 6.3.D.4.d (720 rule) will not apply to Actors who are not on the promotional list and there is no one left on the promotional list.
- e. — If there are two actors on one shift acting opportunities will first be offered to the senior member in classification.
- f. — Once all training has been completed members will submit their training records with a request to be placed on the acting list to the administration.

2. — Eligibility Requirements

a. — Driver Engineer

_____ i. — Option 1

- 1. — Have a minimum of Two years in fire suppression with the Department.
- 2. — Shall be checked off on all capital apparatus (minus platforms).
- 3. — Be State of Alaska Certified Firefighter II.
- 4. — Must have 60 hours of documented drivers training (NFPA/ISO).
- 5. — Complete National TIM training Certificate.

_____ ii. — Option 2

- 1. — Pass the Driver Engineer promotion process

b. — Captain

_____ i. — Option 1

C. Administrative Officers, when working a 40 hour schedule, shall be eligible for emergency callback at the Fire Chief's discretion. They shall remain on the overtime and acting lists and are eligible for overtime.

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ARTICLE 19: PROMOTIONS AND PROBATIONARY PERIODS

19.1 Promotional Process

- A. The regular promotional list [hereinafter the "list"] will go into effect January 1 of odd numbered years.
- B. The renewal process and notification of regular promotional test dates will be posted at least three months prior to the date of the written exam, which shall be held during the final quarter of each even numbered year.
- C. Any changes to the resume grading requirements will be posted 12 months prior to the promotional test.
- D. In the event the list is exhausted prior to the expiration date, a new list shall be ~~established and established and valid until the next regular list is established. Such a list~~Such list shall be good until the next regular list is established. If the list is exhausted 9 months or less prior to the next regular promotional test, the Fire Chief may choose to not test until the next regularly scheduled test.
- E. The Department will ~~strive to post~~ the regular list before the expiration of the previous list.
- F. An applicant must turn in the completed written test application to the Fire Chief at least six weeks prior to the scheduled exam date.
- G. An applicant must have signed for a receipt of the qualification list at the time of receiving study material.
- H. Time in classification requirements are based on the date the list goes into effect.

19.2 Eligibility Requirements

A. Driver Engineer:

- 1. Have a minimum of ~~three~~two years of experience in fire suppression with the Department;
- 2. Shall be checked off on listed apparatus at least one week prior to the exam date using current check off standards;
- 3. Pass the Department's written test; and

D. Deputy Fire Marshall I:

1. Have a certification as I.C.C. company officer fire code inspector or equivalent.

E. Deputy Fire Marshall II:

1. Be certified as an I.C.C. fire code inspector or equivalent and national or Alaska Certified Fire Investigator; and
2. Have a minimum of three years of experience as a Deputy Fire Marshal I or equivalent.

F. Deputy Fire Marshall III:

1. Have an associate's degree in fire science or higher degree in a related field or the equivalent thereof by work experience, as set forth below in this section;
2. Have a minimum of five years of experience as a Deputy Fire Marshal II or equivalent;
3. Have maintained certification as a national or state certified fire investigator and I.C.C. fire code inspector; and
4. Be certified as an I.C.C. Fire Plan Examiner.

G. Paramedic Selection:

1. Criteria used to select a candidate for initial City-sponsored paramedic training shall be:

- a. Hold the classification of Fire Fighter, Driver, or Captain;
- b. Completed initial hire probationary period in fire suppression by the effective date of the Selection List;

c. Drivers will be ranked below all the Firefighters who have taken the test. Captains will be ranked below the Drivers;

- d. Seniority shall be based on continuous time in service with the Fairbanks Fire Department as defined in Section 19.3A; and
- e. Successfully complete all entry requirements of the paramedic training school being used (pass/fail).

2. The City shall send two members to paramedic school during the three-year period following the signing of this agreement.

Commented [3]: Considering SOP for Paramedic Selection

19.3 Promotional Testing

2. The Board shall formulate up to 10 questions to be asked of each applicant for a particular classification. Applicants for the same classification shall all be asked the same questions.

3. Each question shall be worth a maximum of five points, with five being the highest score. Each member of the Board will assign points to each applicant's answer to each question. The total of the Board's points assigned to each answer shall be tallied and divided by the number of Board members to arrive at an average score for each answer.

4. Minimum passing score is 70%.

D. Resume

1. The Board shall also consider an applicant's resume. Resumes shall be turned into the Fire Chief one week prior to the Oral Boards.

2. The HR office will submit, with the applicant's resume, a list of any disciplinary action that the Member may have received, up to five years prior to the promotional exam.

3. The selection of grading requirements will be done by mutual agreement of the Fire Chief and the Union President.

4. Each member of the Board will assign a score to each applicant's resume. The total of the Board's points assigned shall be tallied and divided by five to arrive at an average score for this part of the exam.

E. Chief's Interview

The Fire Chief shall conduct an interview of the applicants in a manner deemed appropriate. Whatever process the Chief chooses, it must be clearly stated before the written test and must be consistent throughout the process.

19.4 Promotional List

A. The promotional list shall be established by combining the category scores in the following manner:

1. Written exam = 40%
2. Oral exam = 30%
3. Resume (scored by oral board) = 10%
4. Chiefs Interview = 10%
5. Seniority points = 10%
6. Total = 100%

A. A Member who takes a voluntary demotion will be placed on the bottom of the promotional list of the vacated classification until the next promotional list is posted. If the voluntary demotion is after the deadline for signing up for the promotional process, the Member will be placed on the bottom of the new list.

B. A Member who declines a promotion will be placed on the bottom of the current promotional list. If the Member is the only person on the list, the list will be considered exhausted.

C. A Member must re-test once the list they have Voluntarily demoted to expires. Members who do not choose to re-test may not work in the position they demoted from under the previously held classification rules.