



Takoma Park City Council Meeting – January 21, 2021 Agenda Item 3

Voting Session

Collective Bargaining Agreement with AFSCME Council 67 Local 3399, effective July 1, 2020 through June 30, 2023

Recommended Council Action

Adopt the resolution.

Context with Key Issues

The negotiating teams representing the City of Takoma Park and the Union representing most (83) City employees, the American Federation of State, County and Municipal Employees (AFSCME) Council 67 Local 3399, have completed negotiations on a new Agreement covering three years from July 1, 2020 through June 30, 2023. The membership of the Union has ratified the Agreement.

As with the Collective Bargaining Agreement (CBA) with the Union representing police officers below the rank of Sergeant, the wage agreement for the current fiscal year is for no change to the wage scale, the provision of a 1.5% increase (one step on the wage scale) retroactive to July 1, 2020, and providing no adjustment based on performance evaluations. There will be wage reopeners for FY22 and for FY23.

Other changes to the Collective Bargaining Agreement are:

Section 2.2, Union Security. Delete section based on Supreme Court's decision in *Janus*, which prohibits mandatory fees/dues for public sector unions.

Section 7.1(i), Vacation Leave. No change to CBA, but agreed for FY21 only that employees may accumulate 300 hours of vacation rather than the cap of 240 set in the contract. This exception is because of the impact the pandemic has had on employee ability to travel. The vacation accumulation cap will revert to 240 hours on January 1, 2022.

Section 7.2, Sick and Safe Leave. Modified language to incorporate the Maryland Healthy Working Families Act and to create a sick leave bank. As part of these changes, effective January 1, 2021, sick and safe leave will be frontloaded for the year, rather than accumulated.

Section 7.3, Personal Leave. Permits Crossing Guards to earn one prorated personal day annually.

Section 10.2, Meal Allowance. Increased meal allowance from \$10 to \$12 and clarified when meal allowance is given.

Section 10.3, Differentials. Increased pay differential for employees with Commercial Driver's License from \$1 to \$2 per hour; increased pay differential for employees working as Tub Grinder from \$1 to \$2 per hour.

Section 10.4(e), Multilingual Pay Differential. Increased pay differential for employees certified at the "basic" skill level from \$0.75 to \$1 per hour.

Section 22(b), Out of Title Work. Changed application of out of title compensation adjustment to the first day of assignment rather than the sixth day after the assignment.

Article 25. The reopener for FY23 will include Article 25, regarding performance evaluation.

Council Priority

Fiscally Sustainable Government; Engaged, Responsive, Service-oriented Government

Environmental Considerations

N/A

Fiscal Considerations

Approval of the Collective Bargaining Agreement will result in a total wage increase of approximately \$61,000 but will save about 3% of the budgeted wages for each AFSCME-represented employee in each department. The total savings in wages is approximately \$122,000. The increased pay differentials for certain activities bring those amounts into alignment with other jurisdictions, but the total increased cost to the City is small.

Racial Equity Considerations

The racial breakdown of City employees closely mirrors the City of Takoma Park population, with many AFSCME employees being people of color. The limited wage increase for employees was agreed to in recognition of the financial impact of the pandemic on City finances. Nevertheless, many employees are supporting families where other household members have lost employment, or the employees themselves have lost second jobs.

Attachments and Links

- Draft Resolution

Introduced by: Councilmember

CITY OF TAKOMA PARK, MARYLAND

RESOLUTION NO. 2021-

**RATIFICATION OF COLLECTIVE BARGAINING AGREEMENT BETWEEN
AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES
COUNCIL 67 LOCAL 3399 AND THE CITY OF TAKOMA PARK, MARYLAND**

WHEREAS, the Negotiating Teams representing the City of Takoma Park, Maryland and the Union representing the City employees who are members of American Federation of State, County and Municipal Employees (AFSCME) Council 67 Local 3399 have culminated negotiations on a new Agreement covering three years from July 1, 2020 through June 30, 2023; and

WHEREAS, the membership of AFSCME Council 67 Local 3399 ratified the Agreement on December 4, 2020; and

WHEREAS, both parties request that funds necessary to implement the Agreement be approved by the Council pursuant to Section 4.08.060 G of the Takoma Park Code; and

WHEREAS, both parties request Council approval of any provisions of this Agreement which conflict with City Code, rule, or regulation pursuant to Section 4.08.060 H of the Takoma Park Code.

NOW, THEREFORE, BE IT RESOLVED THAT the Council ratifies the Collective Bargaining Agreement, effective July 1, 2020 through June 30, 2023 between the City of Takoma Park and the American Federation of State, County and Municipal Employees Council 67 Local 3399 and authorizes the City Manager or their designee to sign the Collective Bargaining Agreement.

Adopted this ___ day of _____, 2021.

ATTEST:

Jessie Carpenter, CMC
City Clerk