



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Side Letter Agreement Between International Association of Firefighters, Local 1699 (IAFF) and City of Milpitas Regarding the Special Assignment Pay for 40-Hour Fire Captains
Category:	Consent Calendar-Leadership and Support Services
Meeting Date:	1/21/2020
Staff Contact:	Liz Brown, 408-586-3086
Recommendation:	Approve the Side Letter Agreement Between International Association of Firefighters, Local 1699 (IAFF) and City of Milpitas for 10% Special Assignment Pay applied to employees assigned to the Fire Captain 40 Hour Classification

Background:

The International Association of Firefighters, Local 1699 (IAFF) Section 38.03 of the Memorandum of Understanding (MOU) provides the City with discretion to establish special assignments for the classifications covered by the MOU for purposes of fire prevention, training, and administrative functions. In exercising this discretion, the City created a new job classification for a Fire Captain 40-Hour. IAFF and the City have agreed to set the special assignment pay to 10% above base pay for employees assigned to the Fire Captain 40-Hour classification.

Analysis:

With approval of the City Council in Closed Session, a Side Letter was agreed upon between IAFF Local 1699 and the City to set a special assignment pay of 10% above base pay assigned to the Fire Captain 40 Hour indefinitely or as a temporary long-term appointment under Rule 7.05 of the personnel rules. Shorter-term assignments to cover the absence of the appointed incumbent in the Fire Captain 40 Hour assignment shall not receive such special assignment pay; however, other sorts of premium pay provided in the City's personnel rules or the MOU, such as out-of-class pay, may apply. The employee assigned to the Fire Captain 40 Hour role shall receive City-designated paid holidays (e.g. Memorial Day, Labor Day, etc.) as time off, and as such is not eligible for holiday-in-lieu pay applicable to other classifications or assignments that do not receive such time off. Lastly, it was agreed that the 10% special assignment pay will be considered pensionable compensation and will meet the requirements of the the Public Employee Retirement Law.

Fiscal Impact:

The fiscal impact of appointing a 40-hour Captain at the top of the salary range receiving 10% special assignment pay effective immediately including related CalPERS contributions could be as much as \$11,000.00 for fiscal year 2019-2020 retroactive to Dec. 30, 2019 and \$24,720.00 for fiscal year 2020-2021. For the current fiscal year, this incremental cost will be absorbed within the Fire Department's budget. For Fiscal Year 2020-21, the additional cost will be incorporated in the development of next year's budget.

California Environmental Quality Act:

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act pursuant to CEQA Guidelines section 15378(b)(5) in that it is a government organizational or administrative activity that will not result in direct or indirect changes in the environment.

Recommendation:

Approve the Side Letter Agreement Between International Association of Firefighters, Local 1699 (IAFF) and City of Milpitas for 10% Special Assignment Pay applied to employees assigned to the Fire Captain 40 Hour Classification retroactive to December 30, 2019.

Attachments:

Side Letter Agreement Between IAFF, Local 1699, and City of Milpitas regarding 10% Special Assignment Pay applied to employees assigned to the Fire Captain 40 Hour Classification.