SUMMARY STATEMENT

ITEM NO.  SUBJEC\: Approval of Collective Bargaining Agreement with Fraternal Order of Police covering Patrol Officers, Corporals and Sergeants

COMMITTEE:  New Business

COMMITTEE MEETING DATE:  N/A

BOARD ACTION DATE:  November 19, 2008

PROPOSAL:  That the DRPA Board of Commissioners approve a Collective Bargaining Agreement (CBA) in substantially the form distributed to Commissioners and approved by the FOP.

PURPOSE:  To formally record the agreement of the DRPA and the Union representing Patrol Officers, Corporals and Sergeants.

BACKGROUND:  The DRPA and FOP have entered into CBAs covering Patrol Officers for over 20 years. In 2003 the DRPA entered into its first CBA with the Superior Officers Association within FOP Lodge 30 covering Corporals and Sergeants. Our most recent CBA covering the FOP Patrol Officers expired by its terms on December 31, 2004. Our most recent CBA covering Corporals and Sergeants expired by its terms on June 30, 2007. The parties have engaged in negotiations and, following issuance of the Arbitration Award covering Patrol Officers, the parties have come to an agreement.

FOP (Patrol Officers) – After a period of negotiations the FOP demanded binding Interest Arbitration as permitted under the terms of the CBA. That Interest Arbitration ended recently upon issuance of an Arbitration Award covering certain major CBA issues (wages, health care, etc.). FOP and DRPA had also engaged in extensive negotiations regarding other issues and had reached agreement on a number of such matters which are included in the proposed CBA which has been provided to DRPA Commissioners.

FOP (Corporals and Sergeants) – The DRPA and FOP representing Corporals and Sergeants have reached agreement on the terms of a proposed CBA that is based upon the terms set forth in the Arbitration Award although that Award does not apply to the Corporals and Sergeants. The parties have also agreed on certain other points as set forth in the CBA provided to Commissioners.

Single CBA – the FOP has requested that DRPA agree to a single consolidated CBA. The FOP have explained that the SOA is only a committee within FOP Lodge 30 and has no independent existence. In addition, the terms and conditions of the two prior CBAs (one covering Patrol Officers and the other covering Corporals and Sergeants) were identical.
with a few exceptions. FOP and DRPA have agreed to maintain certain provisions distinguishing between the Patrol Officers on the one hand and the Corporals and Sergeants on the other hand, this being based on operational and management needs. The DRPA is prepared to enter into such a single CBA with a term expiring December 31, 2009.

SUMMARY: Amount: N/A  
Source of Funds: DRPA Operating Budget  
Operating Budget: Included  
Master Plan Status: N/A  
Other Contributors: N/A  
Duration of Contract: 5 years (FOP Patrol Officers); 2 ½ years (Corporals and Sergeants)  
Other Parties Involved: FOP Lodge 30
RESOLUTION

RESOLVED: That the Board of Commissioners authorizes and directs that staff finalize the Collective Bargaining Agreement between DRPA and the Fraternal Order of Police Lodge 30 covering Patrol Officers, Corporals and Sergeants in substantially the form attached hereto; and be it

FURTHER RESOLVED: The Chair, Vice Chair and the Chief Executive Officer must approve and are hereby authorized to approve and execute all necessary agreements, contracts, or other documents on behalf of the DRPA. If such agreements, contracts, or other documents have been approved by the Chair, Vice Chair and Chief Executive Officer and if thereafter either the Chair and Vice Chair is absent or unavailable, then the remaining officer may execute for DRPA along with the CEO, and if it is necessary to execute the said document(s) while both the Chair and Vice Chair are absent or unavailable, then the Chief Executive Officer shall execute such documents on behalf of DRPA.

SUMMARY:

Amount: N/A  
Source of Funds: Operating Budget  
Capital Project #: N/A  
Operating Budget: Included  
Master Plan Status: N/A  
Other Contributors: N/A  
Duration of Contract: 5 years for Patrol Officers, 2 ½ years for Corporals and Sergeants  
Other Parties Involved: Fraternal Order of Police Lodge 30