

they want to just get thrown into the oven, and I will leave it up to you. You know which is the most hurtful thing for employees.

Pagett:

Mr. Chairman, Neal is correct with Alternative 1 and 2 here and I've gone back and forth on this. We hadn't polled the bargaining unit folks. That's certainly not our role to do that. He is right and Neal's been saying things relative to what I think. We'll overlook that. I like Neal but I'm not concerned about his welfare. I am concerned about the welfare of our employees. He is right in that Alternative #1 over the long haul, actually over the short haul, the 13% increase is better for the employees. Now, I know that sometimes you'd say that you'd get \$2,100 if you'd been here 3 years in cash. But the additional 3%, if they sat down and put the pencil to it and did the arithmetic it won't take but about 36 months and that amount will be made up and once it is, they gained that from then on. But my recommendation, Mr. Chairman is that since they won't select one is that we do go with Alternative #1 because that will benefit the employees more over the long haul.

Chair:

Thank you. Recommendation? I'll ask again. We've heard the recommendation of the administrator, what's the pleasure of the board.

Brown:

Vote to approve the terms No. 1

Chair:

Motion by Ms. Brown. Is there a second? Seconded by Mr. Mc Clash

Harris:

Under discussion I have discussed this issue with the county administrator and the county attorney through the fact that I am married to a paramedic and there will be a direct benefit to my household I am declaring a conflict and excusing myself from this vote.

Chair:

All in favor of this motion say Aye. Opposed No. Motion carries 5 - 0 with one abstention. We'll now move to Item No. 3. Mr. Pagett this is the two new units that you're proposing?

Pagett:

Let me just give a couple of preliminary remarks before Reynolds starts and that is that again, this is only the administrator speaking here. The gentleman, Mr. Powers had made some comments during citizen comment time. I have talked with him and some folks out in his group in with others. I have said that I do intend to put in the intended budget for your consideration that we add a couple of additional ambulances. I do think that we're at the point in this county to maintain the response times that we have which are still overall very good. We've come to a time when we do need a couple of ambulances. Now, there's ways that you can go about doing this in the most cost effective manner and this is what we're attempting to do in proposing the way in which we would work these two units as compared

to the other 12 units that would still be on 24 hours a day. We'll always have 12 ambulances out there. These will be in addition to those 12 during any 24 hour period. The way that we would work these as far as working and integrating in with the others that we would have these on during the 12 hours of a 24 hour period that we have the most calls. So Reynolds, with that if you could go ahead and walk through that. We've got Mr. Latessa here. He and Dino can add to anything that we may leave out or attempt to respond to any questions.

Allen:

As far as in the county administrator's recommendation that was submitted on May 29th. First let's make sure we're all on the same wave length. There is a topic entitled "12 Hour Shifts". The following changes need to be made: that is the third line after the word "before" insert the words "or after", the second line after the last word "to" insert the word "or after" and the fifth line the sentence that begins "The six" should read, "The six employees will work four 12 hour shifts and be off two 12 hour shifts" With those corrections. You know you were all talking about at one time, PDS that is the county was negotiating that issue and this is not PDS. What this is is in the event that you approve the county administrators request for two additional units, your EMS management staff and the county administrator want to staff them with six employees that will work 12 hour shifts - Will work 4 on, 2 off, 4 on, 2 off, 4 on, 2 off, etc. These employees would rove the entire time. That is, instead of being assigned to a _____ there is a busy period that currently is, we believe, based on our statistics, 1PM to 9PM. We've already talked to the union about the fact that many of our employees that are not covered by this will also be roving during these hours. But these two vehicles will rove all the time. The employees would be scheduled for 12 continuous hours beginning not more than 5 hours before or ending not more than 5 hours after the busy period. A typical example is the unit at 1 might run from 9AM to 9PM or it might go back to 8AM. Unit 2 might run 1PM to 1AM or it might go 2PM to 2AM. That's the theory. Now, in the negotiations, we told the union all along, we've discussed this the theory out we haven't talked about the particular roving units until late April, early May. What we have done, however, in our last bargaining session we discussed every item that the union wanted to discuss and essentially what the county administrators recommendation to you is that you approve his recommendation that if, in fact, you at any time do, in fact, authorize these units that he, the administration, can staff those units the way we have discussed here. Now, what would be their working conditions? Essentially, the same as everybody else's. And that's what the union wanted to talk about, you know: "How do I get on this shift? How do I get off this shift? How are my wages going to be? Am I going to have to sit in the vehicle?" We answered all those questions essentially saying it will be the same as everybody else except for these items. Now, from a legal point of view what does that mean? That means that if, in fact, you adopt the County Administrator's position then if you get the 2 vehicles and if Ernie and Mike put this in all these will remain the same. These will be as set forth here and should Ernie and the EMS Management Staff will have to change these depending on what the contract says if we have one, they would still bargain. Instead of having to wait and go through the bargaining process which, as we know, can take quite some time, by establishing these initial terms the county can plan and do it and it would not be anything that's different from what we're doing are enumerated right here in these items; and that is the recommendation.

Elliott

After almost three years of negotiation this came to the bargaining table on May 9th. Many months after impasse had been declared and we had a fairly long session on May 9th and this was the last item to be discussed and we did raise a number of questions that occurred to us off the top of our head after seeing this proposal for the first time. One of the questions that we didn't ask was previously on the 12 hour shifts proposed by Mr. Latessa under his peak demand staffing proposal there were some day and night shifts proposed there and the 12 hour shifts that employees were to be placed on and I believe they were held out to you as a darn good idea, required the employees to work 36 hours one week, 36 hours the next week and 48 hours the next week. It created an average of a 40 hour work week. This proposal puts employees on a 12 hour shift that creates an average 56 hour work week. Now, although that's the same number of average hours that the 24 hour shift employees currently work, on a 12 hour shift I wonder if you understand why the additional 16 hours? Does any commissioner here have any idea? Does Mr. Pagett have any idea why an additional 16 hours would be appropriate to work on these 12 hour shifts whereas it wasn't appropriate in the previous PDS proposal. 40 hours as opposed to 56. That's one of the things that we would like to discuss more with management's representatives and our proposal as I wrote to you in my recommendation is to simply wait and see if the commission funds new ambulances. If it funds new equipment, if it funds new employees. If it does, there will be time to negotiate. We'll know from your budget workshops if you're going to approve money to do that. To be honest with you I don't know enough about this to be able to tell you whether this is a good idea or not. I'm not sure you know enough about this to be able to tell your employees and the public whether it's a good idea. I'd like to see you set this issue aside. We're not opposed fundamentally to any changes. What I am opposed to is that this was added to the list of impasse items on May 9th. Impasse was declared a long time ago. Agreement to bypass the special master was in March. This was put on the table on May 9th. It's not a month later yet. We had part of one bargaining session to discuss this. I'm not saying that they didn't answer our questions, they did. I'm saying that this hasn't been fully negotiated and I would ask you to set this issue aside and bring it to the bargaining table and I'm sure Mr. Allen can tell you how to do it properly. If and when you decide to fund this, I don't know if it's a good idea. I don't know if you know. Thank you.

Pagett

Mr. Chairman, when I got here 13, 14 months ago, one of the first things that Mike Latessa told me was we were probably to the point that we were gonna have to in the near future look at adding additional stations or doing something. Putting on more people, more equipment. I said, "Well, let me get my feet down and we'll certainly discuss this." Now, as Neal has pointed out and we also, that these negotiations have been going on for probably 36 months. The fact of the matter is we can't stop this organization and we can't stop running this service on a daily basis and our EMS employees don't stop jumping in the ambulances and responding to calls just because the union negotiations goes on. If we see that our response times are starting to slip more than they should, then it doesn't matter whether we are in negotiations or not. We have got to make decisions as to what needs to be done. Whether these negotiations should go on another month or if they go on another year. Neal is absolutely right, these have just come up. He talks about the difference between the 40 hours

and the 56 hours. The fact of the matter is if you put 2 units on as standard units the way they are now and assigned to the fire station at the post, you'd certainly need more than 6 employees. You'd probably need to cover everything at least 14 employees the way they are manned now. What we're looking at is to let these be back up units that's out there during the 12 peak hours operating with the other 12 ambulances that are out there also. We're looking at this as a unique way that it will cost us fewer dollars and at the same time be able to maintain the service level that we have now. We just feel that this is the way to go. Again, I acknowledge that it has come up very recently, but something may come up in two weeks that is something we need to do. Whether in this department or some other department. Just because we are in discussions about something does not stop us from carrying on the daily operations of an organization. I think that those were the two issues that he raised. One option would be to wait and let this flush through the budget process. I told everyone that I talk with that my proposals are just recommendations. If you do wait to do this and bargain it at the same time, of course, it's going to put off the implementation quite a while. I've evaluated that and thought about that. Would that be the best way as to wait until we do? I see no reason why we cannot move forward with this because even if the board does not approve 2 ambulances this year then, of course, this will not be done. But if you do, we will be prepared to do that in the short run.

Chair:

Mr. Pagett, that will also give you the opportunity to test the 12 hour process so that you're not out changing the entire system. To do that you can see whether it works.

Pagett:

To see how it works and I have reason to believe that we have existing employees that because of whatever their lifestyles, their obligations we have employees, I think, that would see this as an option to the 24 hour shifts that they are on. How many, I don't know. We could see if this would work. Questions have been asked would existing employees be given a shot at these and they absolutely would, they would have first priority to them over and new hired.

Chair:

Let's take this as a second step too. There was concern about changing the system. This means that we would maintain the current system that we got, the 12 ambulances on, same system so that nobody would have a change in the current service. This would be if it goes to a supplemental and additional services that would help in those response time.

Pagett:

You'd have 12 hours out there that you would have instead of 12 ambulances as we have now you'd have 14.

Glass:

Mr. Chairman, the first thing that hit me when I saw this list was why this was here. I think you've given us an explanation, but I think in saying that it's not peak demand staffing and yet it is experimental peak demand staffing. The words are in the explanation here. Are you

telling me that if there was an emergency and you had to press bringing in more people and you had to respond to the public demand for need or emergency that we do not have the latitude unless we spelled it out in four hour increments or six hour increments or whatever in this negotiation that we're talking about right now?

Pagett

That's correct. We cannot just arbitrarily put people on 12 hour shifts. No.

Glass

So you'd have to spell that out. The problem that I'm having is that this is one of those issues that has caused a great deal of consternation in the community and I think we'd better say this right now. If the board disagrees with me feel free to do so. We have no plans to close any of the remote stations in North county, the Island and so on. However, the implementation of peak demand staffing does demand that you have appropriate funding for that and we have a public hearing that covers the funding of our various matters and I think that we can presuppose this or even perhaps, rather say right now that we are going to take it out of certain fund and pay for it. Because I think if we're gonna base it on whether or not it would go through the budget process and provide two more ambulances and additional staff. I understand the cost of putting in new stations and maintaining stations, and everything. Let me go back to my original point. I had a problem with this in here because we said we're gonna back off in peak demand staffing and we're going to implement it very carefully. Whatever that means, it would mean coming back in consultation and in doing some things that this board will understand fully.

Pagett

Commissioner Glass this is not peak demand staffing that's been taken off the table. I made a recommendation to the board that we would go through at least a two year process to do whatever we need to do to the best of our ability to explain what we're talking about. To have as much input as possible over the next two years. This is two ambulances with 6 people that we're putting the fewest dollars possible to enhance the existing system that we have out there now and that's 24 hour shifts with 12 ambulances on the road every hour during those 24 hours. We are enhancing what we have but we're doing it in such a way that we're not having to put on say 14 people that it would take to fully utilize if we went with the 24 hour shifts.

Glass

Let me ask one more question, Mr. Chairman and that is: "Would we be assigning those six people to this particular task or would we be expecting other employees to move into this mode?"

Allen

You get two bites at the apple. This is an on the _____ basis. If you all don't do this, this doesn't happen. Secondly, all we're asking you to do is to set the initial terms and conditions. This doesn't prejudice the union because the fact of the matter is they can start negotiating over anything they want to change probably in advance. What this does is sets

the status quo. Now to answer your question specifically; it's answered right here and that is shift assignments, who gets what job when they work is all subject to our tentative agreement. We are going to treat these people the same as everybody else as far as job bidding and shift bidding, whatever it says for everybody else these people get the same. So the answer is "we're not going to go and say, John we got to move for this position. Answering the union's question and answering yours what would happen is that these jobs would be bid and by seniority the people who want these jobs would take them. If nobody senior wanted them then you go to the bottom of the seniority list and you assign somebody. The least senior person or you hire somebody from the outside if you have enough staff. But essentially, all we're asking you to do is to set the initial terms. Why are we doing this? I don't mean to get back to the PDS, but the reason we're doing this is when we did have PDS on the table October 18, 1995 at which time we said to the union. "PDS is what we're gonna do but if you want to negotiate the details any details you want to negotiate were open and available. Our negotiators were available around the clock. We never heard boo. We're now in May. That's a lot of months away. If you all should decide to do this then we want to be set up to do it. Not to have it take another nine months.

Now, that doesn't mean that anything that's not on this board, and they've already agreed to all of this anyway, all these other conditions, tentatively. That doesn't mean that if they want to negotiate something else they can't do it because the fact of the matter is that if we have a contract, unless they agree to the contrary it's only going to run through Sept. 30, 1996. We're going to start negotiating again very soon again. So it really doesn't prejudice him. We are asking you to set the initial terms so that we can know where we're going and it's done and we don't have to worry about 10 or 12 or 15 months. If we change things, we have to do it but at least we can get started with this approach. Thank you.

McClash:

Mr. Chairman, I thought somebody was going to point out the real reason why we feel this is necessary and that is because of the new service that we are providing, because of congested roadways, increased populations, things that were touched on before and it seems like we have the biggest problem, at least we were shown, during the peak hours which you identify as the busy period. From what I also understood was that 12 hours was kind of like the maximum hours.

Pagett:

The people with those units, this would be their 12 hours.

McClash:

If none of the existing employees want these two shifts, then it would go to 6 new employees that you would be getting to recommend hiring. So one of two things that shouldn't really have an impact on the existing employees unless they want to participate in it. And 2: New employees coming on board would already know that more than likely, the situation of going into these hot units. So the whole reason I hear. Mr. Powers was here this morning saying Do something about service and don't deteriorate service. We have evidence that shows that

our service is going down and we need to do something and this is your recommendation as far as going forth and doing something positive to enhance the service.

Pagett:

To enhance what we have especially during those 12 peak hours.

Elliott:

Mr. Chair, before you make your final decision I would like to point out that you're going to ask these brand new employees (I think I can promise you that no existing employees are going to opt to this 12 hour shift - I want to go on record as pointing that out to begin with. There's gonna be new employees. You're not going to find that any of your current employees are going to opt for these 12 hour shifts - I hope I'm wrong because my understanding of how this will work is not going to be an advantageous situation for an employee to work a 12 hour shift. Here's why. Employees work a 56 hour work week now and they work 24 hour shifts. Some of that time is down time. That's what makes working 56 hours a week tolerable. That is why, I believe that the other proposal, it was 12 hour shifts was an ingredient, had them working 40 hours a week. But now here's 12 hour shifts on a 56 hour week. And not only is it 12 hour shifts on a 56 hour week but remember, every one of those 56 hours is going to be spent in a truck operating at a time which the county considers to be a peak time. So the work load is going to be particularly heavy. I don't think you're going to have a very long line of senior employees, those who know your system well and those who provide arguably the best level of service, your experienced people. I don't think there's going to be a very long line. I'd like to have you understand that for no more money you're going to ask new employees to step in and operate 56 hours a week. Not on a 24 hour clock where some of it's down time and some of it's hectic. But you're going to ask them to operate 56 hours per week with no incentive to do it. I'd like to have you pay attention to the exceptionally high turnover rate that your gonna see, even higher than what you have now so that possibly in future negotiations, you'll recognize that there is a human element. Just like when you have a negotiator that agrees to something and then reneges on the deal, just like when you ask an employee to work 56 hours and these employees can work on a 24 hour clock with some down time. These employees are going to work 56 of the busiest hours we can find. I think you're going to find that the level of service deteriorates just because of the bad morale and because of the high turnover and just because there is feeling that Manatee county commissioner staff, my chief, my director, doesn't understand what we go through and worse, they don't care. I just want to be on the records as pointing that out. I have no doubt that you're going to impose a 56 hour work week for these people. I hope that the next time we're at an impasse and the time after that and the time after that and I hope you're all here, your neglecting the human element.

Harris:

Mr. Chairman, I need some clarification because I've heard two different things here. Mr. McClash eluded to the six new employees being plugged into this. But Reynolds, you kind of slid over a comment that would point to arbitrary assignments of employees with lesser seniority. In the even those six slots were not taken by employees with more seniority.

Allen:

My understanding that whatever the policy is is the policy. In other words, what we tentatively agreed to in the contract is what will apply to those folks. I'm not real positive, Neal may be able to clear it but I know in our negotiations the other day what he was asking was, You bid that job and you give it to people who want it, that's fine. If nobody will take the job you go to the junior person that's qualified in assigning. I assume what that means is as we move along. But for example, I assume, and Ernie you correct me if I'm wrong, the initial assignment if nobody wants it. If we go in business on September 30th and nobody wants it, then we will hire six people from the outside.

Harris:

I want to know what the intent is. Are we going to take people who signed on for 24-48 hour shifts and then suddenly one day say "sorry, you're going to do 12 hour shifts now, we're putting you on a modified PDS".

Allen:

If at some point in time you didn't have enough new hires and not enough people volunteer, you're going to have to man those 12 hour shifts. So in a worse case scenario, you may have to get someone for a period of time that would not volunteer for a 12 hour shift. But I would see the probability of that being very low and it would only be for a period of time because we do hire new people. A department that size, regardless of what the turnover rate is you have new people coming in all the time.

Glass:

Is this negotiable?

Allen:

Any time you have a situation where in any union and I've seen thousands of contracts, once management decides that this is going to be done then it is a negotiable item as to who has to take the job. Management usually says, "Well, we're going to take 15 factors into consideration". Unions always say that it goes by seniority. What we're saying is if that occurs, then we're going by seniority. In fact, quite frankly, the decision to have 2 new vehicles and to go to 12 hours shifts on these two vehicles may not be a negotiable item. All of the impact of it, the schedule, the hours, the wages, when they come to work and when they don't probably isn't. But in order not to get into any potential problem, I don't want to deal with that, I'm bringing it to you now. We probably could have done that without even coming to you. But I don't want to get into that posture I want to make sure that we're right here and Ernie wants to make sure we're right here and that everybody understands and that's what it is.

Glass:

Mr. Chairman, let me ask it again. When this goes to the bargaining unit is it negotiable or not?

Allen:

This is not negotiable but the fact of the matter is, if we change anything here, except for the number of employees, that's a management right. If we want to change it to ten hour shifts it's negotiable. If we want to change, for example, the 12 continuous hours to be more than 5 hours before is negotiable and as a practical matter, you all said this, it's immediately negotiable because the contract is going to run out if we have one, Sept. 30, 1996. If the union doesn't ratify it we won't have a contract and they can negotiate any time they want to from what you've established.

Chair:

So, Mr. Pagett, your recommendation is that if these are approved in the budget process you'll allow this process to occur based on the two new units.

McClash:

Just so that I can understand what Allen just said that you feel like you have the right to do this already but you wanted to bring it forward so that there was really no hidden.

Allen:

If I'm wrong that it's a management right then it wouldn't make any difference because you all have the ultimate decision anyway. You got it before you, you can decide it. It's a management right. If you tell us not to do it we're not going to do it. It's your call.

Chair:

Any comments Neal?

Neal:

I think I can shed some light on Commissioner Harris' question. First of all, there is no tentative agreement on this. Commissioner Harris asked how are our 24 employees apt to get forced onto a 12 hour shift because we asked the same question at negotiations and here's what we were told. I think the tape and the minutes will support this that 24 hours would be 24, 12 hour employees would be most likely the new hired employees unless there is a 24-hour employee who wants to occupy that spot and in that case he can bid into it based on his seniority. But there wouldn't be crossover. That overtime would be offered to employees, if you wanted to take. If you're 24 hour employees and you wanted to work overtime on a 12 hour shift then that would be all right. If you were a 12 hour employee and you wanted to work overtime on a 24 hour shift that would be all right. But as far as plucking an employee out of a 24 shift and saying "here, you're going on a 12 hour shift", our understanding is that their proposal is that that would not happen. They even went so far as to say that 12 hour employees would be called back to work overtime to replace 12 hour employees and we don't know how the conflicting schedule and the safety issue would be addressed when the 24 hour employee goes over to work a 12 hour shift. We don't want them working too many hours in a row because fatigue can have a very negative effect. So what we foresaw was that you may hire six 12 hour employees but a week later you may only have 3 of them. How are you going to fill those 12 hour slots? As long as you're calling back other 12 hour employees, or as long as you are calling back voluntary 24 hour employees to work those

slots, that's one thing. But when you're going to pluck the guy that's on regular 24 on, in most cases, child care is to be concerned with. We don't want to further interrupt his or her life. So it is our understanding that 24 hour shift employees will continue - 12 hour shift employees will, in all likelihood, be the new hires and as that, as you go through them, people will be called to fill in those 12 hour slots.

Chair:

The chair will entertain a motion relative to item No. 3.

McClash:

Motion County Administrator's recommendation for item No. 3.

Chair:

A motion was made by Mr. McClash and seconded by Ms. Brown. Is there any discussion? All in favor say aye - all opposed - no. ~~Motion carries 4-2.~~

Glass:

Mr. Chairman, I must tell you I am very much in favor of economies and I'm very much in favor of the new ambulances but I don't feel that this is clear enough.

Brown:

Mr. Pagett and Mr. McClash, that's based upon you agree on what was said by the union is that correct?

McClash:

Yes, that is correct.

Chair:

That will conclude this item Mr. Pagett? These items, all 6 have been determined. Thank you. We're going to take a 5 minute recess and come back to complete the balance of the agenda.

We're going to call this meeting back to order we'll go back to the agenda items. We will go to item #72



MANATEE COUNTY GOVERNMENT

OFFICE OF THE COUNTY ADMINISTRATOR

March 20, 1995

Mr. David Stershic, Business Agent
Sarasota-Manatee Professional Fire Fighters
and Paramedics Local 2546
P. O. Box 4023
Sarasota, FL 34230

Dear Dave:

Enclosed please find the proposed collective bargaining agreement which I have executed as Chief Executive Officer.

I have signed this proposed collective bargaining agreement even though there are concerns about the Union's current explanation as to its interpretation of the Prevailing Rights Articles and related Articles. We understood that the impact of changes made by the County under Articles 5, 6 and 18, would be resolved under the impasse procedure of FS/Chapter 447.

I certainly understand that claimed violations of the collective bargaining agreement are subject to resolution under Article 8. On the other hand, we did not intend nor did we believe the Union intended that items not specifically included in the Collective Bargaining Agreement would be subject to that procedure. I have discussed this matter with Mr. Byington, and Mr. Gilbert discussed it in greater detail when you met to discuss the concerns cited by the County Attorney's office and our retained labor counsel.

Even so, as Chief Executive Officer, I have elected to go ahead and sign the collective bargaining agreement so that there can be no question that I am willing to execute a contract including the words we agreed on, even though the Union apparently takes the position that they mean something different than they did when we agreed to the earlier.

As you has met with the Board of County Commissioners and explained the concerns as has labor counsel for the Board. We have advised the Board members that if the Union signs and the bargaining unit ratifies, the document will be brought to them to complete the ratification process. The Board has been advised by its labor counsel that the Board of County Commissioners would then decide whether to ratify the agreement or to refuse to ratify it, in which event the Union and the Chief Executive Officer would go back to the table for further negotiations.

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PAGE NO.
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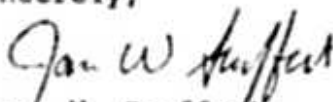


March 20, 1995

Page 2

If the Union elects to sign the proposed collective bargaining agreement that I have executed and it is properly ratified by the bargaining unit, please let me know and I will arrange for it to be submitted to the Board of County Commissioners.

Sincerely,



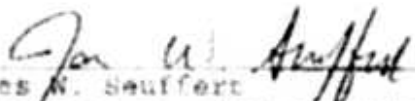
James W. Seuffert
Interim County Administrator

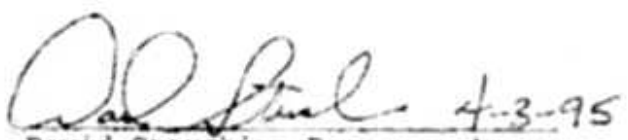
JWS:iss

xc: Board of County Commissioners
H. Hamilton Rice, Jr., Esq.
Paul G. Bangel, Esq.

March 23, 1995

The attached collective bargaining agreement is agreed in concept by James W. Seuffert, Interim County Administrator and David Stershic, Business Agent, Sarasota-Manatee Professional Fire Fighters and Paramedics Local 2546 pending ratification by both parties.


James W. Seuffert
Interim County Administrator
Manatee County Government


David Stershic, Business Agent
Sarasota-Manatee Professional
Fire Fighters & Paramedics
Local 2546