

City of Nampa and Local 804 Contract labor Negotiations May 24, 2018 Minutes

Call to Order

Present: Adam Swift, NFD Negotiator
Eric White, NFD Negotiator
Joel Baker, NFD Negotiator
Phil Roberts, NFD Chief
Richard Davies, NFD Deputy Chief
Bobby Sanchez, Chief of Staff, City of Nampa
Mike Kane, Attorney
Bruce Skaug, Council President, City of Nampa

- Discussion of negotiation rules:
- Meeting was Livestreamed and audio recorded.
- Discussion of timeframes:

Chief added comments: Wanting to meet with negotiators to discuss some contract language
Scheduled open meetings between Fire Chief and Fire Negotiators for June 12 & 13, 2018 at 9 am

1st Official meeting June 18th at 9 am Exchange of Initial Proposals
2nd Official meeting June 20th at 9 am Discussion of Official Proposals
3rd Official Meeting June 28th at 9 am Discussion of Official Proposals
4th Official Meeting June 29th at 9 am Discussion of Official Proposals
5TH Official Meeting July 9th at 9 am cont.
6th Official Meeting July 12th at 9 am cont.

May not need all meetings but have agreed upon time and dates

All meetings to be held at the Hugh Nichols Public Safety Building, room to be announced on each meeting agenda

- Called Executive Session for discussion
- Back on the record
- Signing of official copy of Proposed Ground Rules

Proposed Ground Rules

Memorandum of Understanding Ground Rules for Negotiations

The parties to this Memorandum of Understanding are

Nampa Firefighters local #804
and the
City of Nampa

This Memorandum of Understanding provides ground rules for negotiations to take place between Local #804 and the City of Nampa concerning a term agreement covering the bargaining unit established by Federal Labor Relations Authority .

This Memorandum of Understanding is to be interpreted in accordance with all applicable laws, rules, and regulations. These ground rules are not anticipated to address every item that may arise during the negotiation process and may be altered or modified by the written agreement of both parties.

Schedule of Negotiations

- a. Negotiations shall commence and then conclude within a (30) Thirty-day time frame.
- b. After 30 days, those items not agreed upon shall go to fact finding, unless parties agree to extend timelines.
- c. Negotiations will commence on scheduled dates from 9:00am to 5:00pm, which may include a mutually agreed upon lunch break of one (1) hour, unless the parties mutually agree to amend the time frames for reasonable purposes.
- d. Breaks other than caucuses will be at the mutual agreement of the parties .

Negotiating Team Members

- a. Local #804 has determined to use 4 negotiators on its bargaining team.
- b. The City of Nampa may have an equal number of negotiators .
- c. Local #804 may have non-unit representatives if it so chooses. Each party will notify the other party at least five (5) calendar days prior to the meeting at which new resources will be attending, unless a different time period is mutually agreed upon. All such non-unit representatives will carry out their functions at no cost to the City of Nampa.
- d. The City of Nampa will notify Local #804 at least five (5) calendar days prior to the

beginning of negotiations of the number of negotiators assigned to the City of Nampa team to include the identity and contact information of the Lead negotiator, unless otherwise mutually agreed upon.

- e. Only those designated as "lead negotiator" may make a tentative agreement on behalf of a Party. Changes in the designation must be in writing and provided to the other Party prior to the start of a negotiation session. Each party must have a designated authority to TA at each Meeting.
- f. Negotiators may be temporarily replaced by an alternate, who will have the same rights to speak for and bind their principals as the members they replace.
- g. If the City of Nampa or Local #804 offers an expert on a given topic to the negotiation, that person shall not be a member of its team and will only be present to discuss that specific topic. Such a person shall have no negotiating authority. Such resources including The Fire Chief, City Financial Advisor, and Human Resource Administrator, shall sit at a separate table on the side of the room and be resources for both teams.
- h. If either party wishes to invite an observer to attend, that party will assume all related costs of the observer. No more than one observer from each party may attend.

Exchange of Proposals

- a. Initial proposals will be exchanged on June 18, 2018. The parties agree to exchange proposals by electronic copy, between the lead negotiators.
- b. The parties agree to use a Microsoft word format.

Location of Negotiations and Available Facilities

- a. Negotiations will take place at a neutral facility.

Negotiating Procedures

- a. Discuss and agree upon possible comparables.
- b. The order of the discussion of proposals during negotiations will be as mutually agreed. During negotiations the parties agree to exchange proposals in paper and electronically.
- c. Either party may table a proposal, or any part of a proposal.
- d. These ground rules are designed to assist the parties in the negotiations and may not prohibit a proposal or counter proposal whether in the form of a single issue or package of issues.
- e. The parties agree to provide on June 28, 2018, any new articles proposed not exchanged

initially. After that date new proposals may be accepted only at the mutual agreement of the parties.

- f. Either party may call a caucus. The length of the caucus will be determined by what is reasonable by the party calling the caucus. However, if the caucus exceeds one (1) hour, the parties will meet to discuss the possibility of tabling the issue or meeting at a later date when the party calling the caucus is better equipped to continue negotiations .
- g. All proposals and counter proposals will be reduced to writing at the request of either party.
- h. As proposed articles are agreed upon, the lead negotiator for each party will initial the tentative language, thereby certifying that a tentative agreement has been reached subject to agreement on the whole.
- i. The parties will retain a signed copy of the agreed to proposals upon signing.
- J. Each party shall keep its own notes. Verbatim and electronic recording of negotiations sessions or meetings between the parties pursuant to the negotiations are permitted.
- k. During the course of the negotiations, no media release of any kind will be released by either party without mutual consent.
- l. Upon request and to the extent possible, each party shall provide an explanation of the rationale for each proposal.
- m. Each party will respond promptly to requests for relevant and necessary information.

Sidebar discussions

- a. Sidebar discussions discouraged and non-binding
- b. Sidebar discussions may happen as way of clarifying discussions or communicating information between meetings, however those discussions are non-binding in negotiation sessions.
- c. Emails should be communicated to the entire group of negotiation teams.
- d. No discussions on negotiation topics should happen with union members outside the negotiation room.

Negotiability

- a. Negotiability disputes shall be handled in accordance with law.
- b. Any matter in which a declaration of non-negotiability has been issued is severed from negotiations. If the provision is later found to be negotiable, the term agreement shall be reopened solely to permit negotiation on the provision in question.

Execution

- a. Once finalized, the tentative agreement shall be executed by a dated signature of the Lead negotiators. The last dated signature shall be the execution date.

Ratification and City of Nampa Review

- a. After execution, the parties agree that the executed term agreement shall be referred to Local #804 for ratification under its bylaws and to the City of Nampa City Council for final acceptance.
- b. Upon ratification, Local #804 will notify the City of Nampa in writing that ratification has taken place.
- c. Upon final acceptance the City of Nampa will notify Local #804 of Executive vote.

Duration

- a. This Memorandum of Understanding shall remain in effect while the Parties are negotiating a contract but shall cease to be in effect on the effective date of the contract.
- Meeting adjourned at 9:50 am