IBBT Meeting

June 12, 2023

3:00pm-5:00pm

HR Training Room

In Attendance:

Facilitator: Laura Greatz

Note Taker: Lindsay Lowery

CWA Representatives: Don Welch, Jenn Powell, Robert Arnold, Robby Matheny, Tyler Foerst and Marie Mercer

Management Representatives: Brett Goodman, Heather Mitterer, Phil Mann, Steve Varvel, Torrey Richardson, Pam Harris-Barber, Cheryl McBride and Scott Holowasko. Michele Martin (by phone)

Agenda

- **Communication to employees regarding SB 256 recently passed by the Florida State Legislature**
- **Payroll implications and strategy as a result of SB 256**
- **Signage item**
- **Temporary and/or permanent CWA recruitment and contract permissions**
- **PTTP**

Discussion

LG I think everyone has a copy of the Agenda. The big topic, is the Bill that was recently passed by the Florida Legislature. What that will mean for you all and the employer. I've asked Michele Martin to join us today. She is traveling so she's joining us by phone. She can walk us through the Bill. That will then open up the floor on how it impacts us.

M Martin There are two important dates. July 1, 2023 the City cannot deduct dues from paychecks. On the Union side, you have some heightened requirements. When a person wants to join, if you want help getting those together, I can help with that. There's some required language as well. Another thing on July 1 is members can revoke their membership but there is writing for that. There's an extra records retention piece as well. October 1, when your Union has to file documentation including audited financial statements, number of employees, number of who have signed membership forms, number of who pays dues and there's a lot more. The biggest task is they have to be audited by a certified auditor. If you don't hit 60% you are decertified and you will have 1 month to go through the recertification. If the Bill doesn't get stopped by an injunction hearing, then you will be back in the year-long along with the look back. I think I've hit all of the big points.

LG Could you also..with an injunction filed give us those dates?

M Martin I think it was 5 teacher Unions well ahead and a brief ready. It was filed the day after. They are asking for injunctive relief. They are claiming they have reciprocal harm. The injunctive

hearing is usually evidentiary. Its constitutional questions. Does this Bill meet the Constitution? Judge Walker has moved this to June 26th and he is hearing the oral arguments. He will allow both sides to present. He will either deny or grant probably by the next day. They will appeal to the 11th Circuit. Usually after injunctive relief, the case goes away. This one even more so. It's a matter of, the Constitutional issues. The Bill might not go into effect on July 1st.

LG Questions?

RA We've been through this quite a bit.

CM I want to make sure we agree on the dates. If no injunctions, the Union is still recognized through the time to reregister, through October. We don't anticipate the Union being decertified in July.

RA We are just being proactive.

CM Those are the same dates?

RA I had heard the October date. We have our council too.

CM I want to make sure when we communicate dates to our employees that they are correct.

JP July 1st, no dues taken out. Our other units are flying along. We aren't seeing the same over here. Just trying to come up with as many ways possible. Also, 140 or 150 listed employees are confidential and we can't communicate unless we are at the job sites. If there is approved messaging we can send out? I know the Police Union can send out monthly updates, but we aren't able to do that.

CM On City email?

JP I know FOP gives some. This has been on our wish list, but I've known this for a year and a half now.

LG The City email should not be used.

JP She made it sound like a daily thing that goes out. I can ask her if she can send it to me.

RA In the past when we've ratified contracts and all, what do you guys think about on the dues that would be something? Make a joint communication? I don't think a lot of people even know the Bill has happened.

LG I think I've seen those communications like when the agreement has been approved. I'm sure there are other folks who have been here.

RA Wondering if we can have a mutually agreed upon communication.

LG Questions while we still have Michele on?

RA Wondering if she can talk about the GRU Bill?

SV She wouldn't be the subject matter expert on that.

TF The Bill, on the final comments. The requirements would not interfere with the current contracts or how they may affect?

SV The duration question. That it wasn't to impact current agreements?

M Martin That all goes back to the registration date. You will have issues if this stays in affect. I'm only giving recommendations. We honor the Contract since we are a labor organization. We will just have to wait and see what happens with the case in front of Judge Walker. The case there's about 5 working through. There are more cases working through the system.

LG Unfortunately a lot of wait and see.

JP December?

M Martin When you have to reregister for the year.

RA You would provide the authorization forms?

SV If you would like help in designing yours? Robert was asking if we were going to prepare forms. But you would be willing to look?

M Martin There are 3 forms.

RA On eligible, where we develop the ratio. Any issues on that?

JP Nope, we are all good. We are having to separate supervisor and non-supervisor.

LG Anything else for Michele?

TF PERC wants us to create these forms? That they weren't done but they were going to create them but the Union has the opportunity to create their own form. But can you clarify that PERC will create the form?

M Martin I believe when I was reading through the Bill, PERC would have some forms available but that only went to joining the membership. The one that you would need would need a lot more information. I will check again later on today to see if they've posted anything.

LG You all got information that they didn't have those ready?

TF Correct. It doesn't say the Union has to create a form to withdraw. Just a letter or an email stating a person wants to stop being in the Union. You cannot ask why. Just create the form.

LG Word of caution, on page 3. Employee organization must retain authorizations.

JP You guys have been the ones who have been notified?

LG Michele we really appreciate taking time out of your drive to answer these questions. As a matter of logistics. There's a group of us in HR who met with payroll about the deductions. The approach was recommended beginning July 1 we won't deduct the Union dues. They are testing that in Workday. So there's that piece of it. One of the biggest pieces is around communication.

RA We know nothing ever goes wrong. In the event that an error occurs and they get deducted by us how would it be reconciled?

LG Correcting it? It is being turned off so that shouldn't happen and if it does we would make it right.

MM Regarding payroll, a message would be received?

LG We haven't sent it out yet.

MM Could it also say contact your Union rep?

LG We have not put out a communication yet. First you and I have had conversations and said we are not at war with us, it's the State. We have to make sure we are putting out accurate information.

RA Just disagreeing on the verbiage.

LG With the signs, I don't want that posted on City property. It says benefits will be taken away.

JP It says they are at risk. We are at risk losing some benefits.

CM Which benefits? If you are looking at City Policy, a lot are City Policy.

MM PTO, the use of PTO in the calculation of overtime?

DW That is contract.

CM You are saying benefits, you aren't saying some benefits.

RA I tell them it would be a no brainer, the City will want to maintain some competiveness. When we say benefits are at risk, benefit of negotiating your benefits. I want to reassure you. We can come in here and talk about stuff that would go away.

CM Implication that employees will lose benefits. That is how it comes across.

TF City Policy can change. No contractual obligation. Totally at risk employees.

CM If we get rid of all of your benefits, employees would leave. You know how I feel about the messaging you all have sent. I think you are misleading our employees.

JP You are too, because you are saying everything is fine.

MM Tony Cunningham has said that in meetings.

CM I don't think that is what he has said.

JP Multiple people have called and said Tony Cunningham has come and talked to their departments and said this, this and this. I believe Tony has mislead many employees. Don was in a meeting and had to speak up.

CM When the Union says you are going to lose benefits that is not true.

RA Since we have IBB we do a joint communication? Our goal is to get the word out.

JP People need to understand they will not have a union to call when they are in need. We are PTO but we have a policy. I am reluctant to do joint because I don't feel the Union came to us when you started, had you come to us in the beginning we would have been open. But when you started saying management will take your benefits away that breaches some trust.

RA I've got to disagree with you. You remember me taking a picture and I asked you what you think about this?

CM That was after I saw 3 messages.

RA There is no way I ever expected a reaction like this. I was telling Laura our beef is what is coming from Tallahassee. They are taking your utility away from you. Trying to preserve jobs from Gainesville. They don't care about the City using jobs. I am also wanting to preserve a job unit in this City. We've worked hard creating this contract.

JP No one ever planned to place the signs on City property.

RA We are facing GRU coming out with an authority now.

CM GRU will still be the City of Gainesville employees even with the new authority. You all are aware with how I feel about the communication that has gone out.

TF The unions are fighting for our lives right now. We have to have good messaging.

CM It has to be accurate and not misleading. I am not going to do a joint communication that insights fear.

LG Ground rule is, one person speaks at a time. I have got to ask the side bar conversations to cease.

BG Yes you want to get a response, but not having accurate communication is not the way.

TF Benefits are at risk and they are negotiated.

SV It is a majority at vote. We propose City policy, Commission has to approve it. Focus on the value of the Union. You are giving up your right to bargain. That I do not find misleading. That is true. There will be a completely different relationship. It may not be as employee friendly. Not having the ability to bargain over the impact. That is the value of the collective bargaining process. That is not misleading from my prospective. The value are being in a Union.

TF Are you pledging you will honor every benefit in the contract? Well come of your benefits are at risk because they are not in the City Policy.

RA I am trying to find out something, this lack of communication. I will take responsibility for it. So could we come up with something that we all agree upon?

LG I am one person, we can discuss as a management team. I do agree with Cheryl's feelings. The email was sent but there was already miscommunication sent out. I am working on something, an outline as what people see as benefits and where you can find it in the policy, agreement and if there are differences. That would help people understand.

RA It will go away if it is negotiated away.

SV There are certain things that can become a unilateral decision. Then there are some that are in Policy. We may not like 12 weeks of paid parental leave, it should be 6.

RA Everything changes. Fiscal drives everything. That's the real world. What we do in unions, we have a seat at the table. Our insurance, we know we can get and afford this plan, but consensus we decided how to do the deductible and premiums. These were things we were able to bargain and discuss. There is nothing in the contract about that. But we are able to have a forum with it. With the PTTP, we are trying to bring in people who have contracts. Those are the benefits I say you can lose. Those are the benefits I am talking about. I look on a higher level and out verbiage is thinking on that level. That forum that we have an all of the area that we all can participate.

LG I hear you and I agree with you. With IBB, we've had a good working relationship. I hear you with the intent behind the language. With an absence of a clear definition they will relate it to what means to them based on their current situation they are in. That is why it feels misleading. The intent was not there to mislead.

RA I am trying to convince Cheryl.

CM I believe that from you but I cannot say from all of the members. But here we are.

JP We need to survive. We need 200 something plus sign up for the self-dues. Are you afraid people are going to quit? How is it hurting you? The website lays it all out. I don't want to mislead anyone. We went to PERC meeting, we need to get peoples' attention to join. You don't want them to join?

LG I understand there are places for people to join. Anytime someone is told something we get phone calls. Not everyone follows the path to get correct information. It's creating a bit of hysteria. I hear we want to create fear.

TF You guys are very nice, but that we are also thinking about the GRU Bill. I don't think that Board is going to be as easy.

PM One of the things that is represented, we want to be here. There's a mutual benefit that comes out of here. We also have two opposing forces meeting, the Bill with the unions and the GRU Bill which creates a different set of circumstances. We are trying to unite everyone and keep us together. Are there potential issues? Yes. Management is not forcing that. We are trying to support our employees. There are benefits to the union contract. The biggest one is Operators being poached by GRU and our equipment operators are the same. We have to put out a message that is clear. We have to reach that common ground.

LG I would be supportive with a message that does not poach fear. So that our employees can understand. A union helps us clearly define the terms of employment with our folks. So we so need that. All that you will gain making sure you pay your dues and have the union.

JP We have signs that can go elsewhere.

CM When you did the survey did you ask employees about benefits?

MM Yes, which ones that were important because they could be modified, not go away. Using PTOS in the calculation of overtime.

CM So you told them about PTO, PTO calculated in overtime and what others?

MM Which of the following is important to you…

PTO time and how overtime is calculated

Guaranteed pay increases

Fair and equal treatment

Pay, double time and rest time when conditions dictate

Chance to dispute wrongful disciplinary action or termination

One, all of the above or other.

CM When you convey benefits are at risk, there are things they would think about. I would agree City Commission can change policy. The City Commission hasn't changed PTO since I've been here for 16 years and pay increases are never guaranteed. So I guess my concern is when you convey they are at risk, how employees of bargaining are at risk.

MM Question was which are important. All are bargained and included in the contract.

RA It's the level of the benefit. I think our PTO system is stellar.

SV It's very generous.

RA It's not that you aren't offering it. The Union has been here since 1975. We are trying to push the status quo can change. With the pension we had impact bargaining.

SV You did not have to impact bargain. We could have just changed it. There are plenty of legitimate reasons of why this should sell, but they are taken for granted. Our Commission is overly employee friendly. What is good about them is also bad about them.

JP The layoff section, that's how it works?

CM Yes it is.

RA All of these things had a conversation attached. Sometimes you win, sometimes you lose.

JP If we can come up with something mutually?

LG I am open to look something.

JP With the information we have, we are not getting to some members. If there is something sent out on your end, it's a way.

RA Before all of this, you know the CWA has had campaigns on methods of recruiting and organizing. This legislature has accelerated our fine tuning. We are perfectly okay to come up with a correction. It's not like we are short on ideas. I would hope you all would welcome us to work together and achieve all of this.

SH Did you at some point? What was the percentage?

JP Approximately 34% with non-supervisors. 920 I think for non-supervisors. 320 something members. 82 for supervisors.

LG Have you all started? You all wanted to do 5 minutes with a table on this at new employee orientation?

JP I got bad information on the timing and missed it. We will just say all of the positives of joining the union and new legislation has changed things.

LG We appreciate that. Jenn you will send something?

JP Yes.

LG I appreciate the conversation. I know there are a lot of emotions with this. Last two items. Temporary or permanent CWA recruitment and the contract permissions.

MM I know someone stopped my daily request. It is how to communicate. I was one who had no idea what was going on. I heard that if we didn't get to 60% then we can be decertified. I then signed up. I wouldn't have known that if that person did not tell me. I created the poll and worded it carefully. Someone pointed out that there was an error in it so I fixed it. I am careful to not put out misinformation. If it's a possibility as an employee, how to reach a CWA representative on HR's site or contact your Union representative? You click and an email is sent to the officers?

LG I think we can talk about that.

JP I talked to an ATU and they were wondering as well.

MM Even if they had a question.

PM I thought there was supposed to be a Union board in every facility?

JP There is not one in every area. I know GRU administration there isn't. The Thomas Center, I was trying to find it. There are locations that do not have boards. I found a short list, so I was playing a scavenger hunt to try and find the boards.

PM Public Works Administration building…

JP I got theirs updated.

LG We will take a look at that we well. The last item is the PTTP.

SH This is an informational item. Public Works is modifying the pay charts to the..

The pay values line up. The PTTP pay grades were higher, with no slot able skills was maintained at the living wage at the City. They've shifted some pay to bring them up to the range sooner. It does not change the range or the end point. Just redistributes the pay in the program.

BG We need to have continual meetings so we all know the impact on both sides, GG and GRU.

RA We've had turnover in Fleet that we haven't had in forever. It used to be you would have to drop dead.

LG I think that was everything on the agenda. Anything else we need to tackle?

MM I want to say something positive. Every communication I've seen or been in, it's never been anti-management, but it's the State Bills.

LG I think we are all feeling the pressure. JLAC audit, Union Bill, GRU Bill. There is a lot on our shoulders. I'm glad we have a forum to have open communication and have these discussions.

SV Simple minded people become politicians. It is easier for the State Government to blame the Teachers Union or this or that.

BG Reflect on what Phil said. It's important on the GRU side to be recognized as City employees. It's been hard to be on both sides of the fence.

LG Shall we comment on this meeting?

HM I don't really have any comments.

DW We now have a better understanding. I did make it sound like fire and brimstones. I wanted to make people understand. I think today we have a better understanding of what needs to be said.

PM I think it was one of the toughest meetings we've had. We did a good job on reaching common ground. It was a good meeting.

JP It did get pretty heated there for a minute, but I understand your side.

SV I wasn't the angriest person here. It did work out well for me.

RA I thought it was a great meeting.

TR I am impressed with the ability to come to a resolution. I am excited for the other meetings.

RM Good meeting. Quick comment, I'd love to see as we are doing budgets as FTEs are defunded have a short discussion. They have to pick and choose. I'd like to see the before and after.

LG Budget discussion are ongoing. I know General Government we've been having multiple meetings. The next one is Wednesday. We've had to eliminate some with people and some vacant positions. It has been around to eliminate programs and services, the money is not there. They are proposed and commission discusses.

SV We've been very transparent on where, who and how many.

TF Went fin I guess. A little more heated than the last one. I think we can reach a common ground.

CM Some of us were more brutally candid than others. I'm glad we were able to get to a place of trying to do something together.

MM This was my first meeting, I figured this is how it always was. I saw people feel very passionately about things going on. Something may have been misinterpreted. I'm glad to see how everyone works together to come to a solution.

SH It's been my pleasure to serve on both sides with providing technical information and support. As Doug retires and I move into my new roles, I will always be here to help.

LG in Scott's new role, if he panics we should panic. I want to thank everyone for tackling hard stuff and continuing to work together.