

Committee of the Whole Agenda Cover Memorandum

Meeting Date: February 27, 2012

Item Title: Labor Negotiation guidelines

Action Requested:

Approval
 For discussion
 Feedback requested
 For your information

Staff Contact: Jim Hock, City Manager
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Background:

Staff has prepared some recommended guidelines for the collective bargaining process with our unions.

We seek your comments and feedback before we begin negotiations with unions that have expiring contracts on May 1, 2012.

Recommendation:

Budget Implications:

Does Action Require an Expenditure of Funds: Yes No

If Yes, Total Cost:

If Yes, is this a Budgeted Item: Yes No

Attachments:

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Labor Negotiation guidelines

The purpose of this policy is to set guidelines for the City Council and Council staff to ensure labor negotiations are conducted in good faith, to avoid actions that would circumvent the City's designated bargaining team, and to provide timely and accurate information about the negotiations to the City Council and the public.

The Mayor and City Council recognize that the City workforce is the foundation of the Services that we provide our residents. As such, the City is committed to a fair and financially consistent labor relations policy that provides wages and benefits in a manner consistent with that philosophy.

Before the start of any negotiation process, the City Manager shall seek and receive consensus approval for the financial parameters of any proposed agreement. The Human Resources Manager and at times, any labor attorney approved by City Council will represent the City at the negotiation table.

The Human Resource Manager in preparation of negotiations will:

- Provide research and consultation on current trends, practices, and community standards of other public employers on a variety of labor related issues;
- Meet with designated staff to assist in formulating the management proposals for negotiations;
- Participate in drafting proposals for negotiations;
- Perform necessary fact research for negotiations;
- Formulate and prepare cost analysis of management and union proposals;
- Provide progress reports, make recommendations, and receive direction;
- Oversee and direct response to employee organization(s) request for information; and meet and confer with the unions in good faith.

Before any negotiations begin, the City will clarify the rules that we will conduct ourselves during the negotiation process. These are:

1. The final agreement is not final, until the union membership has ratified the written contract language and the City Council has formally approved the agreement.
2. Negotiations are confidential. Employees will not directly contact the Mayor and/or Aldermen or publicly discuss any contract issues and vice versa unless a formal declaration of impasse has been made. If either party does, then the other has the right to respond in like manner.

In an effort to promote transparency with the unions, the City shall provide any financial information the union requests during the negotiation process.

Authorization and direction to the City Manager is provided in closed or open session. If done in closed session, in order to maintain the integrity of the negotiation process, closed session discussions must remain confidential. Members of the City Council shall not knowingly respond to or discuss any proposals from a closed session discussion.

Prior to conducting a closed session on labor negotiations the City Manager shall make an oral report on the current status of negotiations with the particular employee or bargaining unit or units that will be the subject of the closed session.

Bargaining unit representatives or persons acting on their behalf may comment at public meetings of the City Council. This shall be done during open session to ensure all of the Council receives the same information. The City Council may listen to these statements made in the public forum and may ask questions for clarification purposes, but shall not respond to the comments, or engage in dialogue or any other form of bargaining with the representatives.

The City Council shall approve labor agreements in open session with the opportunity for public comment. Said final vote shall take place at a duly scheduled regular or special meeting with the appropriate legal notice as required by law in order for the public to become informed and to be able to express itself. There must be a staff report accompanying a resolution to adopt the agreement. Before City Council considers approval of any labor agreement, they will be provided with a detailed estimate of the cost of the proposed labor agreement.