

SURVIVING AN ECONOMIC CRISIS

A HANDS-ON GUIDE FOR IAFF LOCALS



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This guide provides comprehensive information to IAFF affiliates. Each affiliate should pick and choose what is most appropriate given its situation. Contact your IAFF District Vice President or the IAFF offices for advice and guidance on how best to use the information contained within this guide.

Acronym Key

AFL-CIO	American Federation of Labor and Congress of Industrial Organizations
CAD	Computer Aided Dispatch
CAFR	Comprehensive Annual Financial Report
CBA	Collective Bargaining Agreement
CDC	Center for Disease Control
CTA	Customized Technical Assistance
DFSR	District Field Service Representative
DROP	Deferred Retirement Option Plan
DVP	District Vice President
EMS	Emergency Medical Service
EMT	Emergency Medical Technician
FLSA	Fair Labor Standards Act
FMLA	Family Medical Leave Act
FSR	Field Service Representative
GASB	Government Accounting Standards Board
GIS	Geographic Information Systems
H & S	IAFF Health and Safety Department
HazMat	Hazardous Materials Emergency Response
HMO	Health Maintenance Organization
IAFF	International Association of Fire Fighters
ISO	International Standards Organization
LI/CB	IAFF Labor Issues/Collective Bargaining Department
NFPA	National Fire Protection Association
NIOSH	National Institute for Occupational Safety and Health
OSHA	Occupational Safety and Health Administration
PAC	Political Action Committee
PEP	IAFF Partnership Education Program
PERB	Public Employees Relations Board
PPO	Preferred Provider Option
RIF	Reduction in Force
SOGs	Standard Operating Guidelines
SOPs	Standard Operating Procedures
W/C	Workers' Compensation
WMD	Weapons of Mass Destruction

Elements of an Effective Approach

Successful problem solving means taking an approach that is effective and efficient. It means that you must be willing to plan now for future issues by learning how your local system operates and by identifying all of your available resources. When you can complete a major portion of this goal before a problem arises, it puts you in a stronger position when a crisis occurs: you know the “ins and outs” of the system and many of the tools that you can use as you proceed.

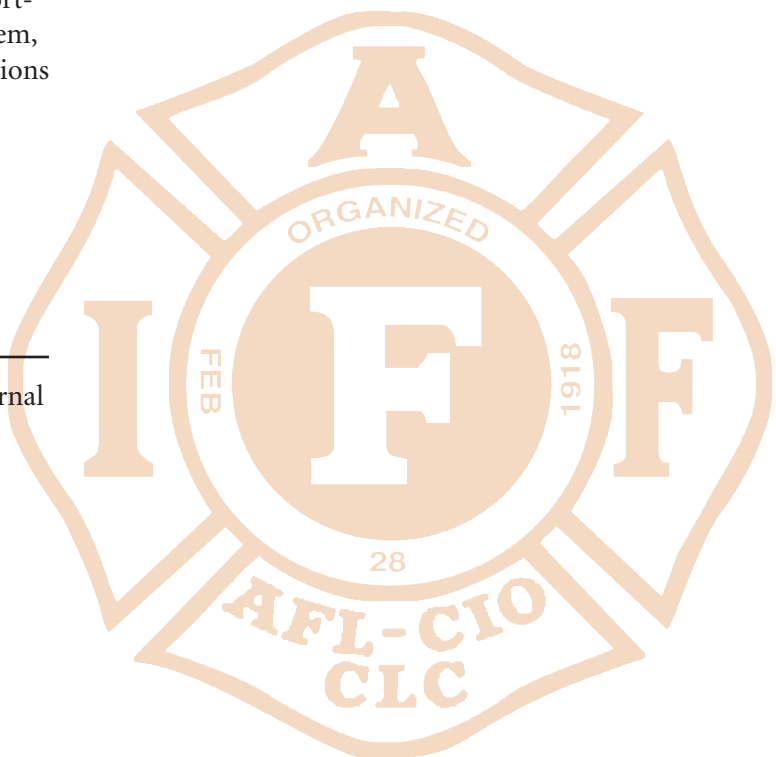
You can now devote your attention to studying the problem, determining its severity and the urgency of action, as well as whether or not it is likely to be short- or long-term. Once you fully understand the problem, you can begin to consider all of the achievable solutions and strategies that will help you be successful.

A final step is to translate your knowledge of the problem and your solution strategy into concrete actions that can be implemented and evaluated.

Identify Resources

It is critical that you catalogue the internal and external resources that you have or may need. Examples:

- Local Membership
- Legal Counsel
- Communications
- Advocates
- Financial Analysis
- Coalition Partners
- Interest Groups
- Community Activists
- Affiliations



Example: Identify Resources

The city notifies Local 5000 that it is seeking a significant reduction in force in the department. Local 5000 officers create a comprehensive list of resources:

Internal Resources

- Local Members
- Public Relations Committee
- Political Action Committee
- Local Homeowners Associations
- City Council Allies

External Resources

- State AFL-CIO
- IAFF Labor Issues & Collective Bargaining Dept.
- IAFF Legal Dept.
- IAFF Communication, Strategic Campaigns & Media Relations Dept.
- IAFF Political Action Dept.
- IAFF Fire/EMS Operations/GIS Dept.

Know Your Local System

Each system and jurisdiction is different and operates using a unique set of rules and regulations. Learn the key provisions that will govern downsizing initiatives, which include:

- Collective Bargaining Agreements/ Memorandum of Understanding
- Local Government Policies
- Department Policies
- Department Regulations and SOPs
- State, Provincial and Local Laws
- Other Agency Agreements
- Applicable Federal Law (FLSA, OSHA)
- Budget Process and Cycle (municipal and departmental)
- Revenue Structure
- Community Structure (civic associations)
- Form of Government
- Election Cycle

Example: Know Your Local System

Local 5000 officers are educated on their local system and the public laws and procedures that govern it.

Key System Areas:

- CBA, MOU
- FLSA, NFPA 1710, OSHA
- Department Budget, Policies, Regulations, SOPs
- City Council Minutes, Local Government Policies, Municipal Budget
- State and Provincial Laws

Identify Problem Components

Each problem will have its own unique characteristics and you may be faced with multiple issues that require prioritization. For instance:

- What is the degree of urgency?
- What is the degree of severity?
- Are the effects likely to be long or short term?
- Is there a history to the problem or issue?
- What are all of the possible outcomes associated with the problem?

Example: Identify Problem Components

Local 5000 identifies a draft list of problems created by the reduction in force proposal. Here's an example of one issue that the reduction in force would affect:

Issue	Priority	Impact	Effect	History	Possible Outcomes
Staffing: response reduced to 3 per apparatus	1	Severe	Threat to health and safety of members and citizens	When economy was good, city had considered adopting NFPA 1710	Reduced response effectiveness

Determining a Solution Strategy

Develop a broad strategy that uses an effective message to reach your target audience.

- Identify desired outcomes.
- Identify relationships/partnerships.
- Develop a communications plan.
- Develop a core message to use for members, the community and on the political front.

Example: Determining a Solution Strategy

Local 5000 develops a solution strategy for the staffing issue:

Desired Outcome	Relationships/ Partnerships	Communications	Core Message
Staffing levels return to 4 per apparatus	City Council Allies News Media IAFF State/Provincial AFL-CIO Citizens Groups	Use NFPA 1710 Standard on safe staffing to inform: membership, fire department, city council, media and public	Reduced staffing will threaten the health and safety of fire fighters and the public

Elements of an Action Plan

Determine what you want to achieve and the steps necessary to ensure success. After you gather resources, methodically implement your plan. Evaluate your progress and change when needed.

- Choose goals
- Gather information
- Identify needs
- Determine resources
- List key implementation steps
- Implement plan
- Evaluate progress
- Adjust as needed

Example: Elements of an Action Plan

Local 5000 develops an action plan for maintaining staffing levels of four fire fighters per apparatus. Using the resources previously identified, Local 5000 focuses its action plan on four key steps to keep current staffing levels.

- Step 1 Educate membership on staffing issue.
- Step 2 Develop alternative options for staffing cuts using municipal budget.
- Step 3 Arrange a meeting with city council on the proposed staffing cuts.
- Step 4 Develop a comprehensive public outreach campaign on the staffing issue.

After completing each step, the Executive Board of Local 5000 meets to discuss the effectiveness of its approach and adapts its plan accordingly.

Downsizing Areas

The following sections contain information in seven major areas where adverse actions can occur. Each section is further subdivided into the following key areas for consideration: preparation, information sources, strategies, key tactics, resources and process.

- Response System
- Personnel
- Collective Bargaining Agreements
- Pensions
- Health Benefits
- Compensation
- Leave/Hours of Work



Response System

Preparation

- Become familiar with fire department staffing and deployment standard operating procedures (SOPs).
- Determine which industry standards and/or regulations the fire department has adopted.
- Review fire department rules, regulations and SOPs and correlate with existing industry standards, noting compliance and deficiencies.
- Compile statistics on fire department responses by incident type (e.g., fire suppression, EMS, HazMat).
- Rank incident types by frequency.
- Determine 90 percent fractile response time by incident type.
- Determine if NFPA 1710 applies to the department.
- List department resources:

Personnel

- Number of field personnel
- Training level for each field employee (Fire/EMS) and/or certifications
- Number of administrative personnel

Apparatus

- List number of apparatus by type (engine, ladder/truck, etc.)
- List location of station by address and cross street
- List staffing for each piece of apparatus (minimum-maximum)
- List training level on each piece of apparatus (e.g., fire fighter/EMT)
- Prioritize levels of service to be delivered and determine the resources necessary to deliver this level of service.
- Review mutual-aid/automatic-aid agreements, written and unwritten. List the number of responses in which mutual or automatic aid was requested by your municipality in the previous year. Determine if departments that have these agreements are NFPA 1710 compliant.

- List number of times mutual/automatic aid was given by your municipality in the previous year and review compliance of the mutual aid-automatic aid agreements.
- Examine any proposed change in deployment that reduces services. Note increase in call volume by apparatus. Note increase response time for each call.
- Determine if changes in deployment are prohibited by the Collective Bargaining Agreement or Memorandum of Understanding.
- Determine if changes in deployment require governmental review (e.g. counties, special districts, city council approval).
- Determine if changes in EMS deployment require EMS medical director or state/provincial oversight approval.

Information Sources

- Collective Bargaining Agreements, Memorandum of Understanding, Side Labor Agreements, Joint Labor/Management Committee Policies
- Department Manuals (SOPs, SOGs, Administrative Regulations, Department Directives, Current and Former Training Directives, Protocols)
- Computer Aided Dispatch Records
- Station Logs (personnel, training, inventory, etc.)
- Station Response District Maps: maps prepared within the fire department or produced by a dedicated unit within the local government or by the IAFF (GIS)
- Previous fire department evaluations or recommendation reports
- Department incident reports and internal investigation documents (post-incident analysis documents related to unexpected injuries or errors)
- Retirees and past union officers

Strategies

- Obtain contractual language or an ordinance on staffing and resource deployment.
- Prioritize arguments regarding the importance of retaining overall department positions (minimum company or shift staffing or station availability).
- Assess Safety Issues
 - Fire Fighter Safety
 - Public Safety
 - Increased Worker's Compensation Claims
 - Injuries
- Maintain overall department strength.
- Maintain appropriate company staffing (NFPA 1500, NFPA 1710).
- Maintain shift staffing to facilitate safe and effective fire ground staffing.
- Prevent apparatus reductions by number and type.
- Provide initial response to fires or EMS calls within four minutes travel time.
- Provide appropriate structure fire apparatus and personnel (minimum 15 for a low-hazard structure fire) within eight minutes travel time.
- Provide adequate staffing to satisfy "2 in/2 out" upon the company's arrival without engaging the engine/pump operator or operator or a ladder company's aerial device
- Push for NFPA 1710 compliance and/or recognition in Collective Bargaining Agreement or Memorandum of Understanding, or by local initiative or state/provincial statutes.
- Determine if reduction in staff or apparatus is legal under the Collective Bargaining Agreement or Memorandum of Understanding or local ordinances.
- Wage a public education campaign based on conclusions reached by system design evaluation and analysis as it relates to service reductions for the community.
- Review Insurance Services Office Ratings.
- Evaluate Safety Concerns.
- Perform a Risk Assessment Study (identification and quantification of risks to ensure that they are understood and can be prioritized — also called risk evaluation).

Key Tactics

- Review Incident Reports for problems related to staffing and deployment, make argument for maintained or improved staffing and deployment.
- Review CAD data and summarize fractile response capabilities — noting deficiencies which lead to insufficient deployment argument.
- Complete a GIS staffing and deployment assessment (may be done by IAFF or city GIS department).

Resources

- District Vice Presidents — Coordinate Customized Technical Assistance (CTA) requests and IAFF Field Service Representatives
 - IAFF Field Service Representatives — Assess for issues and urgency
 - State/Provincial Association — Exchange information with other area local affiliates with the same issues
 - IAFF Fire & EMS Operations/GIS Department
 - IAFF Labor Issues and Collective Bargaining Dept.
 - IAFF Communication, Strategic Campaigns & Media Relations Dept.
 - IAFF Education Dept.
 - IAFF Political Action Dept.
 - City GIS Department — In-house labor-management internal assessment
 - Consultants — Must be able to perform GIS
 - System Design Data for comparable jurisdictions
 - NFPA Standards (examples: 1500, 1710, 1221, 1561, 1620)
 - Library — Trade journals, academic research reports
 - Internet
 - Affiliate’s Legal Counsel — Assess legality of proposed changes or process
 - IAFF Education Department:
 - Partnership Education Program Workshops:
 - Introduction to NFPA 1710
 - NFPA 1710: Evaluating Your Fire Dept.
 - NFPA 1710: Implementation
 - Staffing for Safety
 - Negotiating Strategies for Tough Economic Times
 - Municipal Financial Analysis
 - Non-Collective Bargaining Environments:
 - Achieving Goals
 - Preparing for Negotiations: Collective Bargaining
 - Conducting Negotiations: Collective Bargaining
- Online Learning Module (www.lms.iaff.org)
 - NFPA 1710: A Standard for Every Professional Fire Department



Process

- Examine proposed deployment or SOP changes for potential impact on staffing or apparatus numbers.
- If reductions in staffing or apparatus are proposed, prioritize issues — save staffing before saving apparatus. (If only apparatus or station closures are proposed, this can provide a public relations opportunity to involve community in-service reduction argument.)
- Exchange information with other affiliates in similar situations through State/Provincial Associations or District Vice Presidents.
- Develop message and presentation regarding the proposed changes, internal or external.
- Conduct GIS, CAD analysis and overall department assessment (targeted at the decision makers and public) before and after implementing changes.
- Ensure assessment is correct and recommendations for alternatives are realistic.
- Evaluate and rebut outside consultant reports regarding staffing and deployment.
- Share impact of proposed changes with the public and local elected officials.

Addendum: IAFF Geographical Information Systems Request Process

- Identify issues and potential impact.
- Contact District Vice President for guidance (internal or external processes).
- Request CTA via written request sheet and return to IAFF Fire & EMS Ops/GIS.
- GIS Assistant will clarify information received and Director will assign priority.
- IAFF completes DRAFT assessment and returns to affiliate for review.
- Affiliate accepts DRAFT or returns draft with comments and revisions.
- IAFF prepares final version and material necessary for presentation

Personnel

Preparation

- Review Collective Bargaining Agreement, Memorandum of Understanding, Side Labor Agreements, Joint Labor/Management Committee Policies.
- Review and understand all relevant rules, regulations, procedures and laws regarding reduction-in-force (layoffs, attrition, delayed hiring) procedures.
- Recognize layoffs being proposed within the jurisdiction in divisions other than the fire department.
- Evaluate personnel levels in non-sworn (civilian) positions within the fire department, as well as organizational structure of fire department.
- Identify the true financial condition of the jurisdiction, state and province.
- Identify and investigate laws enabling taxation within the jurisdiction.
- Coordinate efforts with other locals and adjoining jurisdictions.
- Identify all sources of revenue and alternative sources of fire department revenue.
- Identify potential coalitions: labor policy makers, managers, civic groups, etc.
- Develop worst-case scenarios with outcomes.
- Create long-term strategies for limiting adverse impact.
- Seek employer commitment (e.g.: plan ahead at least two election cycles).
- Develop short-term accommodations that don't circumvent the Collective Bargaining Agreement.
- Consider short-term concession-based bargaining that formalizes a commitment to reinstate benefits when economic conditions improve.
- Set up subcommittees — identify individuals and assign responsibilities.

Information Sources

- Collective Bargaining Agreement, Memorandum of Understanding, Side Labor Agreements, Joint Labor/Management Committee Policies
- Jurisdiction Comprehensive Annual Financial Reports (CAFRs) for a minimum of three years
- Fire Department Standard Operating Procedures (SOPs)
- Annual Fire Department Reports for a minimum of three years (budgets, runs, etc.)
- Annual Pension Report and Pension Laws
- Bond Prospectus Review
- State/Provincial Comprehensive Annual Financial Reports (CAFRs) for a minimum of three years
- Local Charter and/or ordinance regarding municipal taxing authority
- State, Provincial and Local Employment Laws
- Revenue and Fee Schedules
- Public Employee Roster for Jurisdiction
- Fire Department Seniority Roster
- Fire Department Leave Usage Reports (long-term disability, worker's compensation, FMSA, military, sick, vacation)

Resources

- IAFF Resources: Labor Issues and Collective Bargaining, Fire/EMS Operations, Legal, Communications & Media
- District Vice Presidents
- IAFF Field Service Representatives
- State/Provincial Associations
- Other IAFF Affiliates
- Statistical data on personnel levels in comparable jurisdictions (i.e., Fire/EMS Operations Survey)
- Staffing Factor Calculation (number of personnel required to staff one position 24 hours/day, 365 days a year)
- Independent Actuarial Analysis
- IAFF Political Action Department
- IAFF Education Department:
- Partnership Education Program Workshops:
 - NFPA 1710: Evaluating Your Fire Department
 - Deferred Retirement Option (DROP) Programs
 - Negotiating Strategies for Tough Economic Times
 - Municipal Financial Analysis
 - Non-Collective Bargaining Environments: Achieving Goals
 - Preparing for Negotiations: Collective Bargaining
 - Conducting Negotiations: Collective Bargaining
- Online Learning Modules (www.lms.iaff.org):
 - Costing the Contract: Computing Straight Time Earnings
 - DROP Part I: The Basics
 - DROP Part II: DROP Types
 - DROP Part III: Developing Your DROP Program
 - DROP Part IV: Convincing Key Shareholders

Strategies

- Conduct a financial analysis. Personnel costs compose a significant portion (90 percent) of a fire department budget. A municipal financial analysis should be conducted in all cases where personnel reductions are proposed.
- Refer to the CBA. Personnel levels may be addressed within the Collective Bargaining Agreement, Memorandum of Understanding, State Civil Service Law or within applicable Provincial Law. Under these circumstances, personnel wages and benefits may not be unilaterally reduced.
- Develop a message to educate the public and legislative bodies on the impact that a reduction in fire department staffing has on the health and safety of citizens and fire fighters. Reduction in personnel is an issue for a public education campaign.
- Consider creative and flexible staffing plans.
- Consider trade-offs. Station closures may be a trade-off for personnel reduction. In other words, a trade-off may be to close stations instead of reducing company staffing. This makes the message to the public more powerful as it actually sees the reduction and its potential effects.
- Consider early-outs (retirement) for senior employees instead of layoffs. (Deferred Retirement Option Plans or DROP).
- Personnel reductions may be determined to be a health and safety issue and, as such, any reduction in personnel may be considered a mandatory subject of bargaining. Evaluate the impact of any change.
- Determine if a grievance can be filed. Personnel reductions may be grievable if contract language on staffing or compliance with industry standards is contained within the Collective Bargaining Agreement.
- Insist upon a proportional reduction-in-force across all levels of the rank structure.
- Monitor the impact personnel reduction will have on women and minorities.
- Use current events as a backdrop.
- Create a PAC (or evaluate its effectiveness if a PAC is in place).

Key Tactics

Tactics are listed in order of priority, recognizing that some trade-offs of lesser benefits may be required to avoid layoffs.

- Determine costs of planned changes.
- Prevent salary and benefit reductions.
- Prevent layoffs.
- Maintain level of service (resource deployment).
- Prevent increase in the workweek.
- Prevent furloughs.
- Prevent demotions.
- Prevent freeze on promotions.
- Prevent hiring freezes.
- Prevent personnel reduction through attrition.

Process

- Use executive board and general membership meetings to communicate the situation and gain consensus on an approach to take.
- Use subcommittees to develop strategy, tactics and specific action plans.
- Use the IAFF to assist in evaluating the financial condition of both the jurisdiction and the state or province. Identify sources of fire department revenue and develop a strategy that will either prevent or minimize loss of fire suppression and EMS personnel.
- Use the IAFF Legal Counsel to provide an opinion on state, provincial and/or local law on personnel reduction.
- Attend governing body meetings (council, budget, finance, etc.).



Collective Bargaining Agreements

(PUBLIC SECTOR EMPLOYEES)

Preparation

- Review existing Collective Bargaining Agreement, Memorandum of Understanding, arbitration awards and grievance settlements to identify any provisions addressing layoffs, reductions-in-force (RIFs), downsizing, contracting-out, pay or benefit reductions or other budget-driven actions that might be taken (hereafter referred to collectively as “adverse actions”).
- Become familiar with past history of negotiations, arbitration awards and grievance settlements.
- Review state, provincial or local law to determine the degree to which management’s adverse actions are negotiable.
- Identify and review any state, provincial or local laws, or civil service statutes, ordinances or regulations, to determine the extent to which management’s authority may be curtailed in carrying out such adverse actions.
- Identify the real bottom line.
- Choose the best alternative.

Information Sources

- Collective Bargaining Agreements, Memorandum of Understanding, Side Labor Agreements, Joint Labor/Management Committee Policies
- State, provincial or local labor-relations statutes pertaining to publicly employed fire fighters and/or EMS personnel and court cases interpreting the same
- Civil Service Statutes and Regulations and local ordinances pertaining to personnel practices of the local’s employer
- Information requests under state, provincial or local collective bargaining law
- Freedom of Information Requests (FOIA) under state or provincial law



Key Tactics

- Maintain Collective Bargaining Agreement or Memorandum of Understanding with immediate dispute resolution in arbitration and/or court.
- In a timely manner, grieve any violation of existing collective bargaining provisions that may be committed by the employer in carrying out any adverse actions.
- Demand notice and opportunity to bargain over any adverse action. The type of bargaining that may be demanded (substantive or impact) will depend on the type of adverse action taken and the laws of the local’s jurisdiction. The local should be prepared to offer proposals to combat, or at least cope with, the adverse action to the extent provided by law.
- Be prepared to enforce the right to bargain. If the employer fails to provide the union with adequate notice and bargaining rights as required by law, the local should file a timely unfair labor practice (or other applicable action) to enforce the right to bargain.
- Mutually agreed upon resolutions to help municipalities out in a legitimate financial bind should be short term (no longer than the length of the Collective Bargaining Agreement) and should not be tied to any “gray” or undefined forms of measurement such as “financial distress.” Additionally, any short term mutually agreed upon resolutions should be reviewed by local or IAFF legal counsel for appropriateness.

Strategies

- Determine the local's collective bargaining rights. Whether the local has the right to bargain in any fashion over management's decision to implement adverse actions in response to budgetary concerns will depend, in the first instance, upon whether the local enjoys any collective bargaining rights under state, provincial or local law.
- Investigate past court interpretations. In jurisdictions affording bargaining rights to the local, the type of bargaining in which the employer must engage is dependent upon how the bargaining law has been interpreted by courts within the jurisdiction. A majority of jurisdictions have concluded that management cannot be compelled to bargain over the initial decision to implement layoffs, RIFs, downsizing or contracting out in response to budget shortfalls. Most jurisdictions, however, have concluded that management may be required to bargain over the implementation and impact of such decisions on bargaining unit members.
- Consult with local counsel. Examples of "implementation and impact" proposals for which an employer might be required to bargain include: proposals requiring it to give notice to the union about which employees are to be laid off; proposals dealing with the timing and effective date of the layoffs; proposals related to re-assignments and assignment of additional workload necessitated by the layoffs.
- Assess the time lost due to layoffs, proposals over bumping rights afforded to more senior employees to avoid layoffs and proposals governing the order in which the layoffs will occur. Because jurisdictions vary greatly on the scope of bargaining required under their respective laws, it is extremely important to consult with local counsel on this issue before any adverse actions are announced.
- Be prepared to file a complaint. Where the local enjoys bargaining rights, the local should file a complaint (as an unfair labor practice or otherwise) if it was provided insufficient notice of the adverse action as defined by the laws of its jurisdiction, even if bargaining is limited only to implementation and impact.
- Investigate whether the employer has violated laws. The local should also determine if — in carrying out the adverse actions — the employer violated any state, provincial or local laws, civil service statutes, ordinances or regulations pertaining to personnel practices and pursue such claims appropriately. If the local's contract prohibits management from violating any state, provincial or local law, the local should consider filing a grievance to challenge the employer's action in this respect.
- Adopt a flexible strategy. While bargaining, be as flexible as possible in your strategy. Realize that while it may not be possible to prevent adverse actions from occurring, it may be possible to significantly diminish the impact of these actions upon the employees who are directly affected. Also keep in mind that any reduction in staffing will likely increase the workload of those who survive the cutbacks. Be sure to devote sufficient attention to developing and bargaining for proposals designed to ease the impact on remaining employees.
- Look ahead to future bargaining. As a pre-emptive measure, locals should submit proposals, during their next round of collective bargaining, related to management's discretion in carrying out any adverse actions in the future.



Resources

- Other intra-jurisdiction unions to which the bargaining law applies
- Local Legal Counsel
- IAFF Resources: Labor Issues, Collective Bargaining and Legal Departments
- IAFF Online Contract and Wage Library
- State/Provincial Associations
- District Vice Presidents
- IAFF Field Service Representatives
- IAFF Political Action Dept.
- IAFF Communications, Strategic Campaigns & Media Relations Dept.
- IAFF Education Dept.:
- Partnership Education Program Workshops:
 - Municipal Financial Analysis
 - Preparing for Negotiations: Collective Bargaining
 - Conducting Negotiations: Collective Bargaining
 - Introduction to Grievances
 - Introduction to Grievance Arbitration
- Online Learning Module (www.lms.iaff.org):
 - Costing the Contract: Computing Straight Time Earnings

Process

- PREPARE! Determine your rights under state, provincial or local law before anything happens.
- Develop a consensus. Well before any adverse actions are announced, develop a consensus as to the most effective means to challenge management decisions within the parameters of the law. This includes both the process to be used (pre-emptive contract proposals, demands for bargaining, unfair labor practice charges) and the substance of the proposals (use of seniority lists, bumping rights, etc.). A good example of possible bargaining proposals related to seniority and layoffs is found in the IAFF's Model Contract Language publication.
- Protest. If available, use state, local or provincial law to protest any failure by the employer to provide sufficient notice to allow the local to demand bargaining over the adverse action.
- Demand bargaining over any adverse action to the extent provided by law. Convey any notice of impending adverse actions to local members as soon as possible, and prepare to respond accordingly.
- Engage in good faith bargaining. Challenge through an unfair labor practice — or other appropriate procedure — any failure by the employer to engage in good faith bargaining.

Pensions

Preparation

Traditionally, IAFF members participate in defined benefit plans financed through employer and employee contributions and investment earnings.

- Review Collective Bargaining Agreement, Memorandum of Understanding, Side Labor Agreements, Joint Labor/Management Committee Policies.
- Become familiar with the benefits provided under your pension plan. Understand the funded status or solvency of your plan and how the actuarial costs of maintaining your program are calculated.
- Recognize that pension fund accounting procedures are very complicated and present an opportunity for management to shift costs or re-structure benefits by changing various actuarial assumptions, including, but not limited to: projected rate of return on investment income; method of valuating assets; cost attribution to various benefit components of the plan; and accounting methods and amortization schedule of the retirement system.
- A trend has developed in which employers are trying to replace defined benefit programs with defined contribution models. This represents a major diminishment of benefits. Additionally, most public employers are using the economic downturn and investment losses as justification to shift costs to employees or reduce benefit entitlement.

Information Sources

- Retirement Plan Document
- Jurisdiction's Comprehensive Annual Financial Reports (CAFR's) for minimum of three years
- Jurisdiction's Annual Budget for a minimum of three years
- Retirement System's Annual and Quarterly Reports on Investment Earnings
- Retirement System's Annual Actuarial Report
- Retirement System Administrator
- Retirement System Trustees

Resources

- IAFF Resources: Labor Issues, Collective Bargaining and Legal Departments
- State/Provincial Associations
- Outside Actuary or Consultant
- National Conference of Public Employee Retirement Systems
- Other Plan Participants or Employees' Groups
- IAFF Members who serve as Retirement System Trustees
- City/County Charter
- Actuarial Analysis
- IAFF Educational Dept.:
- Partnership Education Program Workshops:
 - Deferred Retirement Option (DROP) Programs
 - Municipal Financial Analysis
 - Non-Collective Bargaining Environments: Achieving Goals
 - Preparing for Negotiations: Collective Bargaining
 - Conducting Negotiations: Collective Bargaining

Online Learning Modules
(www.lms.iaff.org)

- - Costing the Contract: Computing Straight Time Earnings
 - DROP Part I: The Basics
 - DROP Part II: DROP Types
 - DROP Part III: Developing Your DROP Program
 - DROP Part IV: Convincing Key Shareholders

Key Tactics

- Protect the pension system: state/provincial law, local charter, voter referendum, etc.
- Avoid proposed changes that shift the burden of funding retirement benefits to employees.
- Battle any attempts to replace traditional defined benefit programs with defined contributions systems.
- Prevent encroachments on accidental disability benefits.
- Carefully evaluate any proposed changes to the plan's actuarial assumptions.
- Avoid establishing any multi-tiered pension system that provides different benefit levels to employees.
- Monitor shifting of excess pension earnings to general fund. These funds should be legally restricted.

Strategies

- Educate your jurisdiction's legislative body, in advance, on the importance of your pension program and how it is financed.
- Protect your pension system via changes in state/provincial constitutions; city/county charters, (voter referendum).
- Remember that pension benefits may be used as a threat to force concessions on salary and other issues.
- Stress, where applicable, that fire fighters are not covered under Social Security, which represents a major cost savings to the employer. Educate the executive board, members and local government on the benefits of opting out of Social Security.
- Remind politicians and the public that the nature of fire service employment necessitates that pension benefits are tailored specifically for employees' needs.
- Keep in mind that some fire fighters may have forfeited direct compensation in order to secure pension benefits.
- Educate and mobilize your membership for grassroots lobbying.
- Be prepared to have an independent actuary or consultant evaluate and rebut the analysis prepared by the jurisdiction.

Process

- Use executive board and general membership meetings to educate and involve the membership.
- Keep your membership informed about pension issues. Regularly publish (in "layman's" language) such information as: benefit entitlement and financial data.
- Appoint a pension or retirement committee to monitor issues on a continuous basis.

Health Benefits

Preparation

- Review and understand all components of health insurance benefits that members currently receive. (Obtain copy of Plan document.)
- Determine the origin of benefits-reduction proposals.
- Review health care trends and benefit packages of comparable jurisdictions.
- Review Collective Bargaining Agreement to determine contractual obligations.
- Review OSHA regulations to determine regulatory requirements.
- Review NFPA standards to determine industry standards.
- Rank all health benefits in order of importance.
- Consider all components of the health care package (co-pays, prescription coverage, dental coverage, etc.).
- Develop worst-case scenario(s) with outcomes.
- Create strategies for limiting adverse impact.

Information Sources

- Collective Bargaining Agreement, Memorandum of Understanding, Side Labor Agreements, Joint Labor/Management Committee Policies
- Pension/Retirement Plans
- Jurisdiction's Budget for a minimum of three years
- Municipality's Human Resources Policy on Health Benefits
- Department Policy
- Worker's Compensation Laws
- Benefit Plan Documents, Plan Administrator (utilization records and claims history)

Resources

- Other Employee Unions
- Local Legal Counsel
- IAFF resources: Labor Issues, Collective Bargaining, Health and Safety, Political Action, Public Relations, Legal Departments
- State/Provincial Associations
- District Vice Presidents
- IAFF Field Service Representatives
- Political Contacts
- Fire Department Physician/ Occupational Medicine Physicians
- Comparable Data/Information
- IAFF Resources (Wellness-Fitness Initiative)
- IAFF GASB Publication
- NFPA 1500, 1581, 1582, 1583
- OSHA 1910.120, .134, .1030
- CDC/NIOSH
- Prevention Cost Savings (Note: collect data on cost savings associated with wellness initiatives and efforts to limit injury)
- IAFF contract language on health benefits and health benefits analysis
- IAFF Education Dept.:
- Partnership Education Program Workshops:
 - Municipal Financial Analysis
 - Non-Collective Bargaining Environments: Achieving Goals
 - Preparing for Negotiations: Collective Bargaining
 - Conducting Negotiations: Collective Bargaining
- Online Learning Module (www.lms.iaff.org)
 - Costing the Contract: Computing Straight Time Earnings

Strategies

- Prevent cost-shifting (e.g.: higher co-pays, reduced benefits).
- Prevent elimination of medical health coverage.
- Prevent change in plan types (e.g. PPO to HMO).
- Prevent all health benefit reductions.
- Prevent worker's compensation reductions.
- Identify desired outcomes (no changes / increased benefits).

Key Tactics

- Participate in (or create) the local government health/benefit committee process and form a coalition with other groups.
- Realize that some health benefit reductions may be a trade-off for other — more severe — changes.
- Know your health benefits and those of comparable communities well enough to have counter proposals available.
- Identify cost containment without reduction in benefits, if possible.
- Schedule key political meetings to head off health benefit reductions before they are proposed.
- Determine the cost of planned changes. Cost is the root of the problem.
- Emphasize the importance of appropriate health benefits for emergency responders, who are at increase risk for occupational injuries/illnesses (e.g.: cancer, heart disease).
- Pursue changes in laws affecting occupational injuries/illnesses.
- Enter into long-term contracts with health care providers.

- Emphasize the importance of wellness-fitness programs for emergency responders.
- Mutually agreed upon resolutions to help municipalities ease a legitimate financial bind should be short term (no longer than the length of the Collective Bargaining Agreement) and should not be tied to any “gray” or undefined forms of measurement such as “financial distress.” Additionally, any short-term mutually agreement upon resolutions should be reviewed by local or IAFF counsel for appropriateness.

Process

- Use executive board and general membership meetings to communicate the situation and to gain consensus.
- Use a variety of smaller work groups to develop strategy, tactics and specific action plans.
- Do not adopt a piecemeal approach. Try to determine the full scope of the problem and triage the potential damage, focusing on the most severe areas first.



Compensation

Preparation

- Review Collective Bargaining Agreement, Memorandum of Understanding, Side Labor Agreements, Joint Labor/Management Committee Policies
- Understand the direct monetary compensation package provided to employees including, but not limited to:
 - Salary
 - Overtime
 - Holiday Pay
 - Substitution Pay
 - Stand-by Pay
 - Shift Differential
 - Educational Incentive Pay
 - Certification Pay
 - Longevity Pay
 - Deferred Compensation
 - Health Insurance Costs
- Identify the various sources that authorize and protect your compensation package: Collective Bargaining Agreement, the jurisdiction's classification and compensation plan, merit or civil service system rules and regulations, personnel rules, budget authorizations and legislation.
- Analyze potentially vulnerable or targeted areas for attack by employer.
- Identify wage and other economic entitlements compared with other intra-jurisdiction employee groups and demographically comparable jurisdictions.
- Develop justifications to protect current salary and compensation programs.
- Research and consider past and present trends in compensation packages.

Information Sources

- Collective Bargaining Agreement, Memorandum of Understanding, Side Labor Agreements, Joint Labor/Management Committee Policies
- IAFF Online Contract and Wage Library
- Classification Plan
- Jurisdiction and Fire Department Budget for a minimum of three years
- Department Policy
- Personnel, Civil Service or Merit System Rules

Resources

- IAFF Resources: Labor Issues, Collective Bargaining, Communications, Strategic Campaigns & Media Relations, Political Action, and Legal Departments
- Other Employee Organizations
- State/Provincial Association
- District Vice Presidents
- IAFF Field Service Representatives
- FLSA
- Comparable data/information
- IAFF Education Dept.:
- Partnership Education Program Workshops:
 - Municipal Financial Analysis
 - Non-Collective Bargaining Environments: Achieving Goals
 - Preparing for Negotiations: Collective Bargaining
 - Conducting Negotiations: Collective Bargaining
- Online Learning Module(www.lms.iaff.org)
 - Costing the Contract: Computing Straight Time Earnings

Key Tactics

- Determine the total cost of compensation package.
- Relate personnel costs as percentage of overall jurisdiction budget.
- Develop comparisons to other jurisdictions.
- Be mindful that employers may attempt to leverage compensation against layoffs.
- Expect attempts to use furloughs, wage freezes and the elimination of merit steps as cost-cutting tactics.
- Be prepared to deal with attacks in unexpected venues: attempting to weaken contracts or expand management rights through legislation; refusing to implement arbitration awards; and ignoring provisions in the Collective Bargaining Agreement or Memorandum of Understanding.
- Mutually agreed upon resolutions to help municipalities ease a legitimate financial bind should be short term (no longer than the length of the Collective Bargaining Agreement) and should not be tied to any “gray” or undefined forms of measurement such as “financial distress.” Additionally, any short-term mutually agreement upon resolutions should be reviewed by local or IAFF counsel for appropriateness.

Strategies

- Develop justifications for a compensation package, e.g., increased workload effectively decreases available staffing; responders now fulfill multiple roles in Homeland Security, EMS, WMD and HazMat response.
- Educate politicians and community leaders regarding elevated risks in the community and emphasize that such risks are met by multi-role fire fighters.
- Develop alliances: seniors, other labor unions, community associations, etc.
- Identify potential coalitions: labor, policy-makers, managers, etc.
- Explore administrative and legal options (grievances and injunctions) to prevent reductions.
- Be prepared to launch a public or community grassroots campaign to battle attacks.
- Scrutinize other areas of government for perceived inefficiencies.
- Propose innovative programs to improve efficiency and effectiveness of service delivery (i.e.: EMS response).

Process

- Appoint a local union representative to review your jurisdiction’s budget and interact with government officials.
- Develop a cohesive message justifying your position.
- Use your executive board to communicate and mobilize your membership.
- Keep the membership informed of any potential threats; do not surprise them with bad news.
- PREPARE! Develop a multi-faceted response plan to protect your interests.
- Develop long-term strategies for limiting adverse impacts to employees and look for opportunities to maintain current wages and benefits.

Leave/Hours of Work

Preparation

- Know how Collective Bargaining Agreement or Memorandum of Understanding provisions impact or restrict leave policies. Determine limitations in Collective Bargaining Agreement or Memorandum of Understanding on adjusting/changing leave time.
- Become familiar with all types of leave, hours of work and associated regulations, such as FLSA and other state, provincial or local laws relating to different types of leave.
 - Military
 - Vacation
 - Sick
 - Holidays
 - FMLA – Family/Medical
 - Compassionate
 - Worker’s Compensation
- Attempt to rank types of leave in order of importance.
- Develop worst-case scenarios with outcomes.
- Create strategies for limiting adverse impact.

Information Sources

- Past history of leave policies and usage
- State, Provincial, and Local Laws and Regulations on leave entitlements
- Personnel Rules
- Collective Bargaining Agreement, Memorandum of Understanding, Side Labor Agreements, Joint Labor/Management Committee Policies
- IAFF Online Contract and Wage Library
- Department Policy
- FLSA
- Bargaining Unit’s history of prior/similar issues (past practice)

Resources

- Other Employee Unions
- Legal Counsel
- IAFF Resources: Labor Issues, Collective Bargaining and Legal Departments
- State/Provincial Associations
- District Vice Presidents
- IAFF Field Service Representatives
- Federal Laws and Regulations on leave entitlements
- Comparable Data/Information
- Staffing Factor Calculation (number of personnel required to staff one position 24 hours a day, 365 days a year)
- IAFF Education Dept.:
- Partnership Education Program Workshops:
 - Municipal Financial Analysis
 - Non-Collective Bargaining Environments: Achieving Goals
 - Preparing for Negotiations: Collective Bargaining
 - Conducting Negotiations: Collective Bargaining
- Online Learning Module (www.lms.iaff.org)
 - Costing the Contract: Computing Straight Time Earnings

Strategies

- Remember that leave may be a trade-off for other more severe changes. Leave is probably not — in itself — an issue for a public education campaign. Work on controlling the issue at the local governing body level.
- Investigate whether leave reductions are grievable or subject to legal challenges.
- Know your leave system well enough to have counter proposals available.

Key Tactics

- Determine costs of planned changes.
- Avoid changes which result in multi-tiered systems.
- Prevent mandatory comp-time provisions.
- Prevent leave deductions from FLSA threshold.
- Prevent lowering of carry-over caps.
- Prevent mandatory leave payouts.

Process

- Use executive board and general membership meetings to communicate the situation and to gain consensus.
- Use a variety of smaller work groups/committees to develop strategy, tactics and specific action plans.
- Do not adopt a piecemeal approach. Try to determine the full scope of the problem and triage the potential damage, focusing on the most severe areas first.
- Take an aggressive approach, not a reactive one.





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