

Memorandum of Understanding

Between

The City of Yakima

And

Yakima Firefighters Local #469
Battalion Chiefs

Effective Date: January 1, 2007
To
December 31, 2009

Memorandum of Understanding

This memorandum of understanding acknowledges and confirms the agreement by and between the City of Yakima and the Battalion Chiefs of Yakima Firefighters Local #469 regarding compensation and specific employment matters for the Battalion Chiefs.

This memorandum of understanding shall remain in effect from January 1, 2007 to December 31, 2009. By mutual consent of the parties to the memorandum, any part or the entire memorandum of understanding may be opened for cause during the term of the memorandum.

The parties agree to the following points having been addressed and clarified regarding issues, which may or may not be addressed in the Management Compensation Plan.

Wages The Battalion Chiefs agree that they shall be a part of but not limited to the Management Compensation Plan adopted in Ordinance No. 94-83 effective April 16, 1995.

Effective 1/1/07: Maintain current wages as outlined in Management Compensation Plan for calendar year 2007.

Maintain current Health Insurance Premiums as outlined in Management Compensation Plan for 2007.

Effective 1/1/08: Increase base wages by 100% of average of the West Coast Cities CPI-W and Seattle CPI-@, June to June with a minimum of 2.0% and a maximum of 4.0%.

Establish Spanish bilingual oral skills premium pay at \$75.00 per month subject to achieving a passing score on the bilingual skills examination conducted under the Fire Civil Services Rules and Regulation and administered by the Civil Service Chief Examiner. The fire Chief may waive this testing requirement if the employee can demonstrate to the satisfaction of the Fire Chief, through documentation or otherwise (i.e.

court interpreter certification from the State of Washington) that the employee has sufficient bilingual skills in the Spanish language.

Effective 7/1/08: Establish "F" step in the pay range which is approximately 5% above Step "E" Employees having served one year in step "E" would be eligible for increase.

Effective 1/1/09: increase base wages by 100% of the average of the West Coast Cities CPI-W AND Seattle CPI-W, June to June with a minimum of 2% and a maximum of 4.0%

Effective 7/1/09: Increase base wages by 1.0%

Workweek The workweek for "Shift" Battalion Chief shall be 51.38 hrs.for 2007 and 2008.

Effective 1/1/09 the workweek will be 50.46 hrs.

Longevity Pay Longevity shall reflect the current Longevity pay scale as outlined in the Management Compensation Plan, City of Yakima Municipal Code, Chapter 2.24, Longevity Plan 2.24.010(B)

LONGEVITY PAY

<u>Years of Service</u>	<u>Percent of Base Pay</u>
5	2.5
10	4.0
15	5.5
20	7.0
24	10.0

Battalion Chief Promotional Standards In order to test for the position of Battalion Chief candidates will have three years experience as an engine company officer in the rank of Captain or 5 years as Lieutenant in the Yakima Fire Department. The candidate will have also successfully completed the Battalion Chief Task Book issued by the Yakima Fire Department.

Time Off Battalion Chiefs assigned to Operations will be awarded Vacation time, Kelly time, Holiday time and other leave time consistent with department practice in the following manner.

- Vacation time: Vacation time will be awarded consisted with department policy.

- | | |
|----------------------|-----------|
| (a) 0-5 years | 10 hrs/mo |
| (b) Over 5-10 years | 12 hrs/mo |
| (c) Over 10-15 years | 14 hrs/mo |
| (d) Over 15-20 yrs | 16 hrs/mo |
| (e) Over 20 years | 18 hrs/mo |

Holiday Time: Five shifts or 120 hours per year.

Effective 1/1/2007: Kelly Time = Ten 24 hour shifts per year to be distributed throughout the year in appropriate time periods.

~~Personal Business: Two shifts or 48 hours per year~~

Chas. DW PJ

Effective 1/1/08: Kelly Time = Ten 24 hour shifts per year.

Personal Business: Two shifts or 48 hours per year, This will decrease to one shift or 24 hrs upon filling the third Battalion Chief position.

Effective 1/1/09: Kelly Time= Increased to 12 shifts per year.

Personal Business: BC's will no longer have personal business days.

Medical Exams Complete medical physical exams will be provided at the City's expense at the age of 40 and every two years thereafter. After the age of 50 annual medical exams will be provided at the city's expense on the recommendation of a physician otherwise they will be provided every two years. The City shall send notification at least 60 days prior to his/her birthday that examination is due. The employee shall sign a letter stating whether he/she wishes to have the examination.

Overtime Pay Beginning January 1, 2008, Battalion Chief overtime pay shall be paid at a rate of one and one half times (1 1/2) the straight-time hourly rate for each hour that is worked outside the normal weekly work schedule to provide coverage of the Shift Commander position in the absence of the regularly scheduled shift Battalion Chief.

Emergency Callback Pay for emergency call back shall be computed at the rate of 1 1/2 times the normal rate based on a 40 hour workweek. State Mobilization time will be computed at the rate of 1 1/2 times the normal rate based on a 51.38 hour workweek, for 2007 - 2008 and will be based on a 50.46 hour workweek beginning 1/1/09.

Chas. PJ DW

Overtime Hiring: In the event of a vacancy created by the shift Battalion Chief due to the use of Kelly days, vacation time, holiday time, union leave, administrative leave or sick/disability leave and Department manpower meets the minimum levels to fill all required positions, a qualified Captain from that shift will be allowed to fill the position. The roster will be set by 2100 hrs of the shift before the affected shift. If no qualified Captains are available on the shift, the Battalion Chiefs will be offered the overtime. If the Battalion Chiefs decline and Department manpower does not meet the minimum levels to fill all required positions and there is a qualified Captain available on that shift,

then that Captain will be assigned Acting Battalion Chief and an off duty Captain will be hired to backfill.

Cash Out Only for the purpose of cash outs of earned leave time (vacation, Holidays) and/or sick leave time at the time of retirement or termination of service to the Department, Battalion Chiefs shall receive compensation at an hourly rate based on their applicable monthly salary divided by 173.33 hours. Total cash out shall comply with limits set forth in the City of Yakima Management Compensation Plan .

Union Business leave Time: Members of the Battalion Chief bargaining unit shall be granted a total of one shift of leave time to attend to Guild business such as negotiations, labor seminars, and conventions in accordance with all applicable laws and ordinances of the State of Washington.

National Fire Academy The City agrees to allow battalion chiefs city business to attend classes at the National Fire Academy for the Executive Fire Officer program and/or other classes that may be valuable in performing the duties of Battalion Chief/Incident Commander. The Fire Chief may limit participation due to unforeseen circumstances adversely affecting shift manning.

State Mobilization The City agrees to allow battalion chiefs to participate in mobilizations as part of state or national Incident Management teams that may be needed to assist in state or national emergencies. The Fire Chief may limit participation due to unforeseen circumstances affecting the department.

Communications The Battalion Chiefs shall be included in the Fire department communications program. The Fire department and the Battalion Chiefs agree to create the best communications system possible within the city's economic resources available for command staff.

Job Security In the event any permanently appointed person employed in a classification above entry level is laid off, that person shall have the right to voluntarily reduce in rank to the next lower classification previously held within the department regardless of whether a vacancy exists within that classification. Any person, other than persons serving temporary appointments in higher classifications, choosing voluntary reduction in rank under this section shall be regarded as the most senior person in that classification to which they are reduced for the purpose of any further layoffs. Temporary appointees electing voluntary reduction in rank shall assume the seniority in the previously held classification. The least senior permanently appointed person within any classification shall be laid off in the event all the positions with the classification are filled and a voluntary reduction in rank from a higher classification occurs. Likewise, if a person is laid off as a result of a voluntary reduction in rank they may voluntarily reduce in rank to the next lower classification previously held.

All persons except temporary appointees who choose to voluntarily reduce in rank under the terms of this agreement shall be placed on a reinstatement register for each classification from which they were reduced

The orders of reductions in rank shall follow the seniority rules laid out in Civil Service Rule XX in the General Rules and Regulations of the Civil Service Commission for Fire Management Employees of the City of Yakima.

Disability Insurance The City agrees to provide the Battalion Chiefs disability insurance as outlined in the management benefits program. The City also agrees to allow the Battalion Chiefs to purchase private disability insurance at their own cost.

Drug testing policy: The Battalion Chiefs agree to participate in the Department Drug testing policy as it applies to all LEOFF management personnel beginning in 2008.

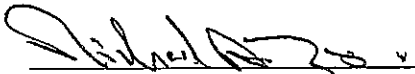
Discipline Policy: The Battalion Chiefs agree to accept the discipline policy that is agreed to between the City and both LEOFF units.

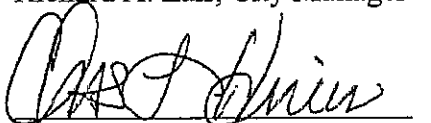
Battalion Chief position: The Battalion chiefs would give back to the City, one *personal* personnel day, when the City fills the vacant Battalion Chief position. If the City does not fill the position, the Battalion Chiefs shall retain the *personal* position. *personal day.*


*Was
by
RJ*

Agreed to this day 13, June, 2007

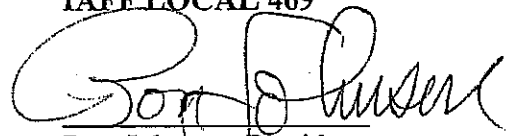
City of Yakima

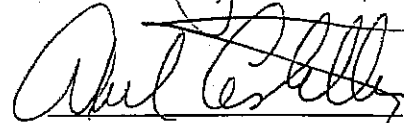

Richard A. Zais, City Manager

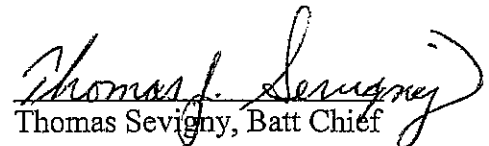

Charlie Hines, Acting Fire Chief


David Willson, Acting Fire Chief

IAFF LOCAL 469


Ron Johnson, President


Abel Castilleja, Batt. Chief


Thomas Sevigny, Batt Chief