

City of St. Louis Department of Personnel Administrative Regulation NO. 147

COLLECTIVE BARGAINING

Revised and Reissued: October 27, 2008

This administrative regulation establishes a policy governing collective bargaining with the exclusive bargaining representatives which have been either certified by the State of Missouri or formally recognized by the Director of Personnel to bargain exclusively for all the employees in a unit. The collective bargaining process shall include discussions of salary, benefits and other conditions of employment.

The following Rules and Procedures shall apply to the collective bargaining process, including negotiations for the development of a compensation ordinance to be recommended by the Director of Personnel, to the Civil Service Commission:

1. A. Under the City Charter, the Director of Personnel has the responsibility and authority to devise and recommend a compensation ordinance (i.e., the Pay Plan) to the Civil Service Commission for its consideration and recommendation to the Board of Aldermen. Furthermore, pursuant to Ordinance #62234, the Director of Personnel is authorized to act as the City's Chief Negotiator in the collective bargaining process.
- B. The individuals at the collective bargaining table shall be the Director of Personnel with his/her departmental designees, and the exclusive bargaining representatives. However, in the event the Director of Personnel or any exclusive bargaining representative believes that an expert is needed for consultation purposes (e.g. the City Budget Director, the City Counselor, the City Operations Manager, Federal Mediators, etc.) either side reserves the right to request the attendance of said expert at the collective bargaining meeting(s).
2. The first collective bargaining meeting for the development of a new compensation ordinance shall be to set the rules which will govern the negotiations. The Department of Personnel will send out letters to exclusive bargaining representatives in December when it is time to begin the bargaining process. (This will not be done when a multi-year compensation ordinance is in effect.) Meetings will begin in January with the goal of having a proposed compensation ordinance to the Civil

Service Commission before the Board of Aldermen receives the City Budget each May.

A. The parties shall set specific dates, times and places for the collective bargaining sessions. If any party wishes to cancel a scheduled meeting, they must do so in writing providing at least 48 hours written notice. The 48 hours written notice can be waived, if all parties agree.

B. Cancellation of meetings should occur only in dire circumstances, i.e. illness, accident, conflict, etc., or upon the joint agreement of the Director of Personnel and the exclusive bargaining representatives.

C. At the first meeting it shall be determined if the exclusive bargaining representatives shall negotiate with the Director of Personnel and his/her negotiating team separately or as a group(s). If the exclusive bargaining representatives meet as a group(s), each representative retains the right to speak about their proposals or concerns at the bargaining table.

3. Proposals to the Director of Personnel shall be submitted in writing at the beginning of the collective bargaining process but items may be added, deleted, or modified during the course of the negotiations.

4. Minutes of the sessions will be taken by a representative of the Department of Personnel, and distributed to all parties prior to the next meeting date. The minutes shall then be discussed, revised as necessary, and approved at the next meeting. The approved minutes shall not be considered an implied or expressed agreement(s). Recording devices of any kind will not be allowed during the negotiating sessions unless prior approval is granted by all parties.

5. If an item on the negotiation table is agreed to by all parties, a "T/A" (tentative agreement) shall be recorded for that item. However, no items, including those in which a T/A has been recorded, shall be considered as approved by the Director of Personnel for inclusion in the compensation ordinance until all issues on the table are agreed upon, or the parties determine an agreement on those particular items cannot be reached.

6. The Department of Personnel and the exclusive bargaining representatives shall discuss and negotiate at the bargaining table any proposed change(s) to the compensation ordinance that impacts the salary, benefits, or conditions of employment of any employee represented by the exclusive bargaining representatives.
7. Upon reaching a tentative agreement with the exclusive bargaining representatives on the compensation ordinance, the Department of Personnel shall provide the representatives two (2) weeks to present the proposed changes to their members to see if additional negotiations are needed.
8. The Department of Personnel shall forward to all parties a copy of its summary of changes to the compensation ordinance, enumerating proposed changes to the compensation ordinance, if possible, prior to presentation of the proposed compensation ordinance to the Civil Service Commission.
9. If the Department of Personnel reaches an agreement on the proposed compensation ordinance with the exclusive bargaining representatives, the Department of Personnel shall proceed with presenting the proposed compensation ordinance to the Civil Service Commission for its review and consideration pursuant to the Commission's Charter responsibility.
10. If an agreement on the proposed compensation ordinance is reached, the Director of Personnel shall, upon the request of the exclusive bargaining representatives, reduce the agreement into a collective bargaining agreement which shall be signed off on by all parties involved.
11. A. If an agreement on the proposed compensation ordinance is not reached, then the Director of Personnel shall notify all the exclusive bargaining representatives at a final meeting that the parties have reached an impasse. The parties shall then have a final opportunity to review those negotiated items in which either a T/A has already been reached and recorded, or can be agreed upon at that final meeting. The parties shall then determine if sufficient agreement exists between the Director of Personnel and the exclusive bargaining representatives to warrant supporting a new compensation ordinance.

B. If the parties cannot reach an agreement to support forwarding a new compensation ordinance to the Civil Service Commission, then the

Director of Personnel may proceed pursuant to his/her authority under the Charter and ordinances of the City with forwarding a compensation ordinance for consideration by the Civil Service Commission. The Director of Personnel shall provide the exclusive bargaining representatives with a list of his/her proposed changes to the compensation ordinance at that final meeting.

12. In addition to salary, those sections of the compensation ordinance that address employee benefits are also subject to negotiations between the Director of Personnel and the exclusive bargaining representatives pursuant to the Rules and Procedures established herein. Further, the ordinance provides the framework for negotiations between the City and the exclusive bargaining representatives concerning health/medical insurance coverage.

A. The ordinance establishes a "City Health Insurance Committee."

B. As voting members on the City Health Insurance Committee, the exclusive bargaining representatives shall negotiate said health/medical insurance programs on behalf of all bargaining representatives who are members of the aforementioned St. Louis Labor Committee for Better Health Care. The City shall, therefore, consider its obligation to collectively bargain in good faith with the exclusive bargaining representatives on said health/medical insurance programs fulfilled.

C. Pursuant to ordinance, "Any exclusive bargaining representative for City employees who chooses not to be a member of the St. Louis Labor Committee for Better Health Care, shall retain its right to meet and confer as defined in Mo. Rev. Stat. 105.520, with the designated representatives of the City of St. Louis on issues of health/medical insurance coverage and remittance rates for its members." Any exclusive bargaining representative who wishes to retain his/her right to negotiate individually on matters of health/medical insurance, distinct from the St. Louis Labor Committee for Better Health Care, may do so by notifying the Director of Personnel in writing of this request.

If you have any questions concerning this administrative regulation, please call Karen Rowley, Employee Relations Manager, at 622-3563.

DEPARTMENT OF PERSONNEL

Richard R. Frank
Director of Personnel

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