



**CITY OF STURGEON BAY
PERSONNEL COMMITTEE
Wednesday, March 3, 2021
Council Chambers - 421 Michigan Street, Sturgeon Bay
11:30 a.m.**

1. Roll call.
2. Adoption of agenda.
3. Consideration of: Approval of Memorandum of Understanding between City of Sturgeon Bay and Sturgeon Bay Firefighters Association.
4. Consideration of: Paid On-Call Firefighters LOSAP/Deferred Comp Programs.
5. Adjourn.

Personnel Committee Members:
Dan Williams, Chr.
J. Spencer Gustafson, Vice Chr.
Dennis Statz

Posted:

Date: 2/26/2021
Time: 12:0 pm
By: SLR

MEMORANDUM OF UNDERSTANDING
Between
CITY OF STURGEON BAY
And
STURGEON BAY FIREFIGHTERS ASSOCIATION
LOCAL 2682, IAFF, AFL-CIO-CLC

WHEREAS, City of Sturgeon Bay ("the City") and the Sturgeon Bay Firefighters Association, Local 2682, IAFF, AFL-CIO-CLC ("the Union") are parties to a collective bargaining agreement commencing on January 1, 2020 and expiring on December 31, 2022 ("the CBA");

WHEREAS the CBA contains a provision on page 16, titled "Substitution," that permits shift trades between members of the Department;

WHEREAS the parties have recently learned the manner in which said provision has been applied may run afoul of state and/or federal wage and hour laws;

WHEREAS page 15 of the CBA contains a provision, titled "Severability," that provides for the parties to bargain over a replacement provision in the event any provision of the CBA is held invalid by operation of law; and

WHEREAS an issue has also arisen regarding the payment of Step-Up Pay (page 17 of the CBA) during a Substitution.

THEREFORE, the Parties agree the CBA provisions titled "Substitution" and "Step Up Pay" shall be replaced by the following:

SUBSTITUTION

Members of the Department may substitute work times, provided that such substitution does not impair the efficiency of the Department. Substitutions may only take place between two Department members. Substitutions may only be made between members of the same rank (e.g., Lieutenant for Lieutenant, Firefighter for Firefighter). All substitutions must receive prior approval by the Chief or his/her designee.

Step-Up Pay:

Whenever there is no Lieutenant on duty, the senior firefighter on duty shall receive lieutenant pay for such time. "On duty" shall mean actively working. In the event the senior firefighter scheduled for the shift has a substitute working in his/her place for that shift, neither said firefighter nor the substitute shall be eligible for step-up pay and, instead, the step-up pay shall be paid to the next senior firefighter actively working on that shift.

HEREBY AGREED TO BY:



For Sturgeon Bay Firefighters Association
Local 2682, IAFF, AFL-CIO-CLC

For City of Sturgeon Bay

Date 1-13-21

Date _____

EXECUTIVE SUMMARY

TITLE: Paid On-Call Firefighters LOSAP/Deferred Comp

BACKGROUND: Sturgeon Bay Fire Department Part-time firefighters who have met the department's annual requirements are currently eligible for a Length of Service Award Program. LOSAP is a pension-like program intended to help recruit and retain paid-on-call firefighters. In a LOSA program, members are financially rewarded based upon the number of years they serve. Over the years the LOSA program became a tool that does not fit the department's need, meaning employees who left before they became vested forfeited their money back into the pool for the other firefighters. If a firefighter was promoted to full-time they also forfeited their monies back into the pool, hence no benefit to the firefighter who was either promoted or a Part-Time FF for limited years of service. Sturgeon Bay Fire Department continues to explore ways to recruit and retain Part-Time Firefighters and we believe the ability to be in a Deferred Compensation program would be a much better tool than the current LOSA program. The City of Sturgeon Bay through the Fire Departments' annual budget currently contributes \$250 per Firefighter who meets the annual requirements and pays an annual \$1,000 managing fee to PenFlex, Inc.

FISCAL IMPACT: Maximum potential expense would not exceed \$3,750, a \$250 payment per FF.

RECOMMENDATION: Approve Paid-On-Call Firefighters' ability to become eligible for Deferred Compensation while discontinuing and eliminating the current LOSA program.


PREPARED BY: _____


Tim Dietman
Fire Chief

2-25-21

Date

REVIEWED BY: _____


Josh VanLieshout
City Administrator

2/25/21

Date