

## Consent Item (B) 09-26-2019

Washington Metropolitan Area Transit Authority

### Board Action/Information Summary

☒ Action ☐ Information

MEAD Number:  
202108

Resolution:  
☒ Yes ☐ No

#### TITLE:

FOP Agreement

#### PRESENTATION SUMMARY:

Information will be provided and the WMATA Board of Directors will be requested to approve the negotiated collective bargaining agreement (CBA) with Fraternal Order of Police/Metro Transit Police Labor Committee Inc. (FOP/MTPLC) and authorize the General Manager to execute the CBA.

#### PURPOSE:

To request approval of the negotiated agreement with FOP/MTPLC covering wages, hours and work rules for the bargaining unit comprised of over 400 sworn police officers working throughout the Authority.

#### DESCRIPTION:

On July 31, 2019, management and FOP/MTPLC reached agreement on the 2017-2024 CBA, which was subsequently ratified by the union membership on August 30, 2019. The agreement covers a seven-year period from October 1, 2017 to September 30, 2024 for approximately 400 sworn police officers.

#### Key Highlights:

Details of the agreement are outlined in the attached fact sheet.

#### Background and History:

The Washington Metropolitan Area Transit Authority (the "Authority") and FOP/MTPLC (the "Union"), hereby agree to amend and extend the existing collective bargaining agreement (the "CBA") between the parties that became amendable on October 1, 2017. This agreement is contingent upon approval by the WMATA Board of Directors. FOP/MTPLC members ratified the agreement on August 30, 2019. References to sections and subsections are to those contained in the CBA. All amendments are to be effective on the date of ratification by both parties, unless otherwise indicated. All sections and subsections not affected by these amendments are to continue in effect without change.

The agreement provides basic economic terms for FY2018-FY2025 as well as pension, health care and work rule modifications for the same time period. The parties agreed that FOP/MTPLC will receive a 1.65% general wage increase effective October 1, 2017, and a 2.48% general wage increase effective October 1, 2018. Out year additional wage increases will take effect on October 1, 2019, 2020, 2021, 2022 and 2023 based upon the average of five highest percent wage increases implemented in each of the six reporting districts.

The employee health care contribution increased from 15% to 20%. CBA language will also require Blue Cross/Blue Shield to competitively bid for the service. A MOU will provide assurances that FOP will participate in negotiating a better rate with the health care provider and has the right of refusal to change the provider while accepting the lower rate from Blue Cross/Blue Shield.

The employee pension contribution increased from 7.27% to 8.5%. In addition, Social Security offset will be reduced from 0.50% to 0.25% effective October 1, 2019. Social Security offset age will increase from 66 years of age to 67 years of age effective October 1, 2019.

Attachments include a fact sheet and the CBA ratified by vote of FOP/MTPLC membership on August 30, 2019.

**Discussion:**

Not Applicable to this action.

**FUNDING IMPACT:**

Budget:	Operating Budget, FY2018 - FY2025
Project/Account:	20200010
Project Manager:	John T. Kuo
Project Department/Office:	IBOP
This Action:	30,852,000
Remarks:	

**TIMELINE:**

	No prior approvals.
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<b>Previous Actions</b>	
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**RECOMMENDATION:**

Approval of the attached resolution which approves the Memorandum of Understanding between WMATA and FOP/MTPLC including the economic terms for FY2018-FY2025, for the 2017-2024 Collective Bargaining Agreement and authorizes the General Manager/Chief Executive Officer to execute the Collective Bargaining Agreement accomplishing this action.

**PRESENTED AND ADOPTED: September 26, 2019**

**SUBJECT: APPROVAL OF FRATERNAL ORDER OF POLICE COLLECTIVE BARGAINING AGREEMENT**

**2019-30**

RESOLUTION  
OF THE  
BOARD OF DIRECTORS  
OF THE  
WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

WHEREAS, Resolution 2011-30 requires approval of the Board for any collective bargaining agreement (CBA); and

WHEREAS, The 2010-2017 CBA between WMATA and Fraternal Order of Police/Metro Transit Police Labor Committee, Inc. (FOP/MTPLC) expired on September 30, 2017; and

WHEREAS, WMATA and FOP/MTPLC negotiated and agreed to the terms of a new CBA for 2017-2024 (2017-2024 CBA), the material terms of which are shown in Attachment A;

NOW, THEREFORE, be it

*RESOLVED*, That the Board approves the 2017-2024 CBA between WMATA and FOP/MTPLC that contains the material terms shown in Attachment A; and be it further

*RESOLVED*, That the General Manager/Chief Executive Officer or his designee is authorized to execute the 2017-2024 CBA; and be it further

*RESOLVED*, That, in order to comply with the parties' mutual promises to expeditiously implement the 2017-2024 CBA, this Resolution shall be effective immediately.

Reviewed as to form and legal sufficiency,

  
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Patricia Y. Lee  
General Counsel

WMATA File Structure No.:  
14.2 Collective Bargaining Agreements

Motioned by Mr. Smedberg, seconded by Mr. McMillin  
Ayes: 8- Mr. Smedberg, Mr. Bulger, Mr. Goldman, Mr. Horner, Mr. Dorsey, Mr. Marootian, Mr. Rahn and Mr. McMillin

**FACT SHEET  
TENTATIVE AGREEMENT BETWEEN  
WMATA AND FRATERNAL ORDER OF POLICE/METRO TRANSIT POLICE LABOR  
COMMITTEE, INC.**

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**PARTIES IN AGREEMENT:** Washington Metropolitan Area Transit Authority and Fraternal Order of Police/Metro Transit Police Labor Committee, Inc.

**CONTRACT PERIOD:** October 1, 2017 through September 30, 2024

**CONTRACT FEATURES:**

<u>Wages Across the Board</u>	<u>Wage Increase</u>	<u>Effective Date</u>
	1.65%	10/01/2017
	2.48%	10/01/2018

Out year additional wage increases will take effect on October 1, 2019, 2020, 2021, 2022 and 2023. As in the past, the wage increases will be based upon the average of the five highest percent wage increases implemented in each of the six reporting jurisdictions.

The last general wage increase was October 1, 2016. Wages by contract equal the average of the five highest percentage increases implemented in the six jurisdictions.

<u>Heath Care</u>	<u>Employee Share</u>	<u>Effective Date</u>
	20%	October 1, 2019

The employee share of health care contribution increased from 15% to 20% consistent with WMATA's largest bargaining unit, ATU, Local 689 which recently increased from 17% to 20%.

CBA language will also require Blue Cross/Blue Shield to competitively bid for the service. MOU will provide assurances that the FOP will participate in negotiating a better rate with the health care provider and has the right of refusal to change the provider while accepting the lower rate from Blue Cross/Blue Shield.

<u>Pension</u>	<u>Employee Share</u>	<u>Effective Date</u>
	8.5%	October 1, 2019

The employee pension contribution increased from 7.27% to 8.5%. Currently, the employee share for ATU, Local 689 members is 3%.

Social Security Offset

The Social Security offset will be reduced from 0.50% to 0.25% effective October 1, 2019. Social Security offset age will increase from 66 years of age to 67 years of age, effective October 1, 2019.

Currently, when retirees reach age 66 (67 in the new agreement) their retirement is reduced by 0.50% (this is equivalent to a 13% reduction in their pension).

Uniforms

There is a modest annual increase in the Clothing Allowance to reach \$1,500 for Investigators and in the Cleaning Allowance to reach \$1,000 for Uniformed Officers, with the total CBA cost of \$274,400. The last adjustment made in 2014 included a \$1,200 allowance for Clothing (Investigators) and \$700 for Cleaning (Uniformed Officers). (Resolves two Arbitrations scheduled on issue).

Contract Work Rules

Active employees who have not used sick leave for a period of 365 calendar days will receive 16 hours credited sick leave with the option to convert said leave to compensatory time.

The FOP Sick Leave Bank is terminated and contributed sick leave credited to affected officers. The Memorandum of Understanding allows FOP members access to short-term disability program or newly established sick leave bank established by the Authority.

The probationary period increased from 250 days to 365 days.

Tech differential pay for Crime Scene Search Officers will increase from \$0.50 to \$1.00 per hour.

Master Police Officers will be paid a 2.5% premium upon meeting eligibility and promotion requirements as set forth in the MOU dated March 6, 2018.

Field Training Officers will receive two days administrative leave for each training cycle or majority thereof that they are assigned as a recruit officer or probationary detective.

Unused compensatory time may be cashed out in 40 hour increments throughout the year. No more than 220 hours of compensatory time may be carried over at the end of the fiscal year.