

# **Santa Clara County Civil Grand Jury Report**

**“City of San Jose Hosed by  
IAFF, Local 230 Executives”**

**September 22, 2009**

**Item 3.4**

# Key Issues Identified

- Use of City-Paid Union Time Off
- Minimum Staffing
- Sick Leave Payouts
- Volume of Grievances and other disputes
- Participation in Labor Management Committee/Initiative
- Negotiation Ground Rules

# City's Response

- City accepts all recommendations made by the Santa Clara Civil Grand Jury
- City currently in negotiations with Local 230
  - Use of City-Paid Union Time Off
  - Sick Leave Payouts
  - Minimum Staffing

# City-Paid Union Time Off

# Minimum Staffing Contract Provision

- 33.2.6 At the discretion of the Fire Chief or designee, and notwithstanding the above provisions, the following vacancies need not be filled:
  - 33.2.6.2 In addition to section 33.2.6.1, a total of three (3) employees, absent for twelve (12) hours or less, who are Executive Board members or designees, for union business

# Maximum City-Paid Union Time Off

**3 Sworn Fire Personnel  
x 12 Hours x 365 Days**

**= 13,140 Hours/Year for  
City-Paid Union Time Off**

# Sick Leave Payouts

# Current Sick Leave Payout Provision

Fire Service Retirement Sick Leave Payouts	
Accrued Hours	Payout Formula—Service Retirements
0-399	Accrued Hours x 50% of Hourly Rate
400-799	Accrued Hours x 60% of Hourly Rate
800-1,200	Accrued Hours x 80% of Hourly Rate
1,201- <i>Unlimited</i>	Accrued Hours x 100% of Hourly Rate

# Next Steps

- Pending Negotiations
  - City-paid union time off
  - Minimum Staffing
  - Sick Leave Payouts
- Contract expired June 30, 2009
  - Impasse
  - Mediation – September 30, 2009

# Discussion