

Memorandum of Understanding
IAFF Grievance 5-98

JAN 31 2000

LABOR RELATION

In response to the scheduling of two Lieutenant's exams, one exam scheduled for March 2000 and the second exam scheduled for July 2000, IAFF hereby agrees to withdraw grievance 5-98. As part of the resolution to this grievance the City and the IAFF agree to the following provisions:

- separation
RSA T.G.*
- 1) Any Fire Fighter who ~~retired~~ *separated* from the City of Miami after October 26, 1997 (see attached List), and who would have qualified to take a Lieutenant's exam at the time of their separation from the City of Miami will be given the opportunity take the March Lieutenant's exam.
 - 2) Any former Fire Fighter specified above who sits and scores high enough to be promoted on the March exam will be promoted. Upon promotion to Lieutenant, the affected individual will receive back pay in accordance with the labor agreement. Such back pay shall be retroactive from the date of the Fire Fighter's ~~retirement~~ *separation* date to the date of the vacant Lieutenant's position. Payment of the retroactive pay will be subject to pension and appropriate withholding taxes, however, no other pay issues (overtime, payouts, etc.) will be included in the retroactive pay.
*separation
RSA T.G.*
 - 3) The parties agree that nothing in this agreement shall extend an election of retirement.

The parties agree that the provisions of this grievance apply only to the settlement of this grievance and shall be non-precedent setting.

Thomas M. Gabriel
Tom Gabriel, President, IAFF 587

1/28/00
Date

Carlos Gimenez
Carlos Gimenez, Fire Chief

1/25/00
Date

R. Sue Weller
R. Sue Weller, Labor Relations Officer

2/3/00
Date

| NAME | TITLE | TERMINATION DATE |
|-----------------------|-------------|------------------|
| Albritton, Franklin | Firefighter | 7/11/99 |
| Anderson, William | Firefighter | 8/9/98 |
| Arnold, James | Firefighter | 6/20/99 |
| Ballas, Lowell | Firefighter | 10/13/99 |
| Barron, William | Firefighter | 9/17/99 |
| Black, William | Firefighter | 6/12/99 |
| Camp, Gerald | Firefighter | 10/23/99 |
| Carland, John | Firefighter | 2/27/99 |
| Cleveland, Robert | Firefighter | 5/12/96 |
| Coxe, Donald | Firefighter | 10/10/99 |
| De Palo, Michael | Firefighter | 4/8/97 |
| Evans, David | Firefighter | 8/16/99 |
| Frazier, Charles | Firefighter | 10/11/99 |
| Hall, Louis | Firefighter | 10/24/95 |
| Harned, Ronald | Firefighter | 3/1/98 |
| Hawkes, Darrell | Firefighter | 10/24/99 |
| Helmann, Robert | Firefighter | 10/24/99 |
| Jimenez, Michael | Firefighter | 8/17/97 |
| Johnson, Carl | Firefighter | 10/10/99 |
| Lee, Ruppert | Firefighter | 10/23/99 |
| Lewis, William | Firefighter | 11/4/99 |
| Lohmeier, Simon | Firefighter | 10/11/99 |
| Loy, Paul | Firefighter | 10/26/99 |
| Mancino, Salvatore | Firefighter | 9/18/92 |
| Montgomery, John | Firefighter | 7/31/99 |
| Murguia, Jr., Antonio | Firefighter | 10/10/98 |
| Murphy, Jerome | Firefighter | 10/26/99 |
| Ogle, Edward | Firefighter | 9/30/98 |
| Penela, Francisco | Firefighter | 1/4/00 |
| Poole, Leonard | Firefighter | 8/28/98 |
| Rich, Dale | Firefighter | 4/24/99 |
| Richter, Carl | Firefighter | 12/21/99 |
| Schanzle, Robert | Firefighter | 8/29/99 |
| Sheehan, Grant | Firefighter | 9/25/98 |
| Smith, Richard | Firefighter | 6/29/98 |
| Steel, Kelly | Firefighter | 10/24/99 |
| Turek, John | Firefighter | 9/28/99 |
| Webber, Robert | Firefighter | 1/4/00 |

File

CITY OF MIAMI, FLORIDA

INTER-OFFICE MEMORANDUM

Angela R. Bellamy
Director
Department of Human Resources
RSW
FROM: R. Sue Weller
Labor Relations Officer

DATE: February 14, 2000 FILE:
SUBJECT: Memorandum of Understanding
RE: IAFF Grievance #5-98.
REFERENCES:
ENCLOSURES:

Attached is a Memorandum of Understanding resolving IAFF grievance #5-98. The settlement provides for certain Fire Fighters who have separated from the City of Miami, if qualified, to take the Lieutenant's exam that will be given on March 22, 2000. The Fire Fighters on the attached list have received notification of the settlement and the opportunity to take the exam. Please ensure the provisions of this agreement are implemented.

Should you have any questions, please give me a call.

RSW:MF

c: Mary E. Leckband, I/O Psychologist, Dept. of Human Resources
Tishria Mindingall, Employment Manager, Dept of Human Resources
Chief Carlos A. Gimenez, Dept. Of Fire-Rescue
Maurice L. Kemp, Dept. Of Fire-Rescue
Thomas M. Gabriel, President, IAFF Local #587 ✓

City of Miami

R. SUE WELLER
Labor Relations Officer



DONALD H. WARSHAW
City Manager

February 11, 2000

Franklin Albritton
8000 SW 131 Street
Miami, FL 33156-6724

Dear Mr. Albritton:

The City of Miami and the International Association of Firefighters, Local 587, recently settled a grievance that could affect you.

As part of the settlement, the City has agreed to give you the opportunity to take the upcoming Lieutenants exam, scheduled for March 22, 2000. In accordance with the settlement, any Fire Fighter who separated from the City of Miami after October 26, 1997, and who would have qualified to take a Lieutenant's exam at the time of their separation from the City of Miami may take the March Lieutenant's exam.

Should you choose to take the exam and score high enough to be promoted you will receive back pay in accordance with the labor agreement. Payment of the retroactive pay will be subject to pension and appropriate withholding taxes, however, no other pay issues (overtime, payouts, etc.) will be included in the retroactive pay.

Should you wish to take the exam, you must come to the City of Miami Riverside Center Employment Office located at 444 S.W. 2nd Avenue, 1st Floor, and apply in person. Applications will be accepted from Monday, February 14, 2000, at 8:00 a.m. through Friday, February 25, 2000 at 5:00 p.m. A study guide, the list of reading materials posted in the Department of Fire-Rescue Official Notice #990744, and a list of tutorial sessions and times to be held by the testing company on February 15-18, 2000, will be provided at time of application.

Sincerely,

A handwritten signature in cursive script, appearing to read "R. Sue Weller".

R. Sue Weller
Labor Relations Officer

c: Thomas Gabriel, President, IAFF, Local 587
Carlos Gimenez, Chief, Fire-Rescue Department
Angela R. Bellamy, Director, Human Resources Department

OFFICE OF LABOR RELATIONS
P.O. Box 330708 Miami, FL 33233-0708/(305) 416-2060/Fax: (305) 416-2065

Memorandum of Understanding
IAFF Grievance 5-98

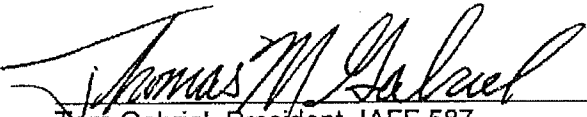
JAN 31 2000

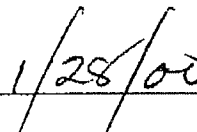
LABOR RELATION

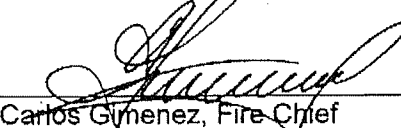
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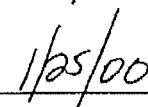
- 1) Any Fire Fighter who retired from the City of Miami after October 26, 1997 (see attached List), and who would have qualified to take a Lieutenant's exam at the time of their separation from the City of Miami will be given the opportunity take the March Lieutenant's exam.
- 2) Any former Fire Fighter specified above who sits and scores high enough to be promoted on the March exam will be promoted. Upon promotion to Lieutenant, the affected individual will receive back pay in accordance with the labor agreement. Such back pay shall be retroactive from the date of the Fire Fighter's retirement date to the date of the vacant Lieutenant's position. Payment of the retroactive pay will be subject to pension and appropriate withholding taxes, however, no other pay issues (overtime, payouts, etc.) will be included in the retroactive pay.
- 3) The parties agree that nothing in this agreement shall extend an election of retirement.

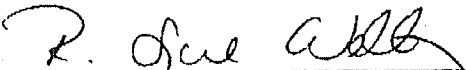
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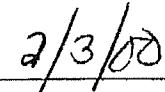

Tom Gabriel, President, IAFF 587


Date 1/28/00


Carlos Ginhenez, Fire Chief


Date 1/25/00


R. Sue Weller, Labor Relations Officer


Date 2/3/00

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LABOR RELATION

In response to the scheduling of two Lieutenant's exams, one exam scheduled for March 2000 and the second exam scheduled for July 2000, IAFF hereby agrees to withdraw grievance 5-98. As part of the resolution to this grievance the City and the IAFF agree to the following provisions:

- separated*
RSW
1.6
- 1) Any Fire Fighter who ~~retired~~ from the City of Miami after October 28, 1997 (see attached List), and who would have qualified to take a Lieutenant's exam at the time of their separation from the City of Miami will be given the opportunity take the March Lieutenant's exam.
 - 2) Any former Fire Fighter specified above who sits and scores high enough to be promoted on the March exam will be promoted. Upon promotion to Lieutenant, the affected individual will receive back pay in accordance with the labor agreement. Such back pay shall be retroactive from the date of the Fire Fighter's retirement date to the date of the vacant Lieutenant's position. Payment of the retroactive pay will be subject to pension and appropriate withholding taxes, however, no other pay issues (overtime, payouts, etc.) will be included in the retroactive pay.
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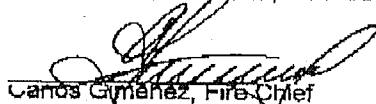
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negotiation
RSW
T.G.

Tom Gabriel, President, IAFF 587

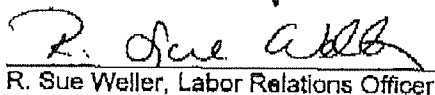
Date

1/28/00


Carlos Gimenez, Fire Chief

Date

1/25/00


R. Sue Weller, Labor Relations Officer

Date

2/3/00