POLICIES AND PROCEDURES FOR NEGOTIATIONS
WITH RECOGNIZED EMPLOYEE ORGANIZATIONS

PURPOSE. The purpose of this policies and procedures document is to set guidelines for staff and the City Council to ensure that all labor negotiations are conducted in good faith, to avoid actions that would hinder the City’s labor negotiation teams, and to provide timely and accurate information about the negotiations to the City Council and the public.

POLICIES AND PROCEDURES.

(1.) Prior to initiation of negotiations, a public meeting shall be held to allow members of the public the opportunity to provide comments on the City’s Guiding Principles, Policies and Procedures, and other labor negotiation recommendations.

(2.) Pursuant to Section (3.)(M.) of Resolution 73-79, the City Manager is the City’s Employee Relations Officer responsible for meeting and conferring in good faith with representatives of formally recognized employee organizations. The City Council may express its views to the City Manager but shall endeavor not to interfere with the execution by the City Manager of his or her authority to negotiate on behalf of the City.

(3.) Pursuant to the Meyers-Milias–Brown Act, the City has a right to insist that all contract negotiations take place at the bargaining table between the designated representatives of the City and the designated representatives of the various bargaining units. Both the City and the bargaining units have an obligation under applicable laws to negotiate in good faith and not to bypass the negotiating teams.

(4.) Bargaining units shall submit their proposals for changes to wages, benefits, terms, and conditions of employment no later than 120 days prior to expiration of the Memorandum of Understanding.

(5.) Nothing in this policy shall prohibit members of the City Council from listening to bargaining unit representatives or persons acting on their behalf.

(6.) Nothing in this policy prohibits the City Manager from requesting the assistance of the City Attorney in carrying out the City Manager’s responsibilities as the Employee Relations Officer.

(7.) Authorization and direction to the City Manager on bargaining parameters shall be provided by the City Council in closed session. In order to retain the integrity of the negotiation process, closed session discussions must remain confidential.

(8.) The City Manager shall have a duty to advise the City Council during agendized closed session meetings of offers, counteroffers, information, and/or statements of position discussed by employee organizations and City representatives participating in the meet and confer process since the last agendized closed session.

(9.) Each Council Member shall disclose both publicly and during closed sessions, the identity of employee association representatives with whom the Council Member has had any verbal, written, electronic, or other communications regarding a subject matter of a pending meet and confer process.

(10.) Unless mutually agreed to by the City and the bargaining unit, negotiation sessions shall remain confidential.
(11.) The City Manager may provide periodic updates on the status of labor negotiations to the City Council in open session.

(12.) Bargaining unit representatives or persons acting on their behalf may comment on the City Manager’s open session labor negotiations status update. This shall be done during open session to ensure each of the Council Members receive the same information. The City Council may listen to these statements made in the public forum and may ask questions for clarification purposes, but shall not respond to the comments, or engage in dialogue or any other form of bargaining with the representatives.

(13.) Recognizing there is public interest in transparency regarding compensation practices, proposed labor agreements shall be made available for public review prior to final approval of an agreement.

(14.) The City shall ensure that all compensation packages are fully, accurately, and simply “costed out over time,” with total costs displayed to the public at the time of public review so that all citizens can understand and evaluate the pay at issue.

(15.) The cost measurements shall display the fiscal impacts of the proposed compensation packages. The report shall include all benefit and or pay aspects of each memorandum of understanding.

(16.) Excepting the resolution of any meet and confer impasse, the rendering of a final City Council determination regarding adoption of a memorandum of understanding shall only be undertaken after the matter has been heard at a City Council meeting wherein the public has had the opportunity to review and comment on the matter.