

ORDINANCE NO. 2133

CONCERNING THE WAGE AND FRINGE BENEFIT DETERMINATION PROCESS BETWEEN THE CITY OF GRAND JUNCTION AND THE GRAND JUNCTION CITY EMPLOYEES ASSOCIATION.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

That the following shall establish the wage and benefit determination process in the City of Grand Junction for its employees:

I. STATEMENT OF POLICY

In order to promote harmonious relations between the elected and appointed officials of the City of Grand Junction and the employees of the classified service of the City and to protect the public by assuring at all times responsible, orderly and uninterrupted operation of government service, there is hereby continued for such employees the right to participate in employee committees through the Grand Junction Employees Association for the purpose of meeting and conferring with appointed appropriate representatives of the City Administrative concerning wages and fringe benefits to be paid to employees by the City.

It shall be the responsibility of the City Manager to establish the rules and procedures whereby the employees, through the City of Grand Junction Employees Association, meet with representatives of the City Administration regarding wages and fringe benefits for the classified employees of the City. The Wage and Benefit Committee of the Association, on behalf of the City employees, shall be given notice to meet regarding any proposed changes in wages and fringe benefits for said employees.

In recognition of the fact that this ordinance granting rights to employees serves as a limitation on the rights of the public and the City, these provisions shall be construed in the interest and welfare of the public.

It is further the public policy of the City that in granting the employees of the City the right to form and join an employees association as declared in this ordinance the protection of the public and the soundness of the City requires that the employees not have, possess or be granted the right to strike or to organize or participate in any work stoppage, slow down or mass absenteeism, or any concerted or collective refusal or failure to fully and effectively perform the full responsibilities of their various positions and their assigned duties.

II. DEFINITIONS

A. For the purpose of this ordinance, the term "wages" shall include base pay, overtime compensation, compensatory time and any pay premiums that may be recognized by the City.

B. For the purpose of this ordinance the term "fringe benefits" shall refer to such items as sick leave, vacation, holidays, leaves of absence and such insurance programs as health, life and dental and supplemental retirement.

III. WAGE AND BENEFIT PROCESS

In regard to the process as outlined below, the City and the Grand Junction Employees Association shall consider the City's lawful authority, the requests of all parties, the interest and welfare of the public, the ability to finance, the proposed changes in operations and all other factors that can be considered in determining salary and fringe benefits.

The wage and benefit process entails two major components in determining compensation for City employees in the classified service: (1) wages and (2) fringe benefits. Wages and fringe benefits, as defined above, will be determined separately but considered jointly as total compensation. Wages involved two separate and distinct factors: (1) market adjustment and (2) salary adjustment.

Fringe benefits are group-related and any adjustments will be considered as such.

Classification shall be broken down into eight (8) different occupational categories. Each classification shall be listed in a category. Each classification and its occupational category assignment shall be reviewed annually prior to determining wages. The occupational categories are (1) Clerical/Office Machine Operators/Technicians; (2) Labor Trades/Crafts; (3) Protective Occupations; (4) Law Enforcement; (5) Professional/Administrative/Technological; (6) Supervisory Managerial - Protective Occupations; (7) Supervisory Managerial - Law Enforcement; and (8) Supervisory - Managerial - General.

The verified Colorado Municipal League Salary and Fringe Benefit Survey, which is published annually, will be used as a primary source for market evaluation. Colorado cities with populations of 20,000 to 100,000 will be considered the City of Grand Junction's market.

Since the City of Grand Junction's Fire Department is a full-time department, only those cities which fall within the above-stated population limits with full-time departments will be considered. If at such time the City of Grand Junction Fire Department departs from its aforementioned status, its market shall be determined in accordance with said status change by using municipalities of comparable status for wage determination.

In addition to the Colorado Municipal League Survey, a local survey will be used and will generally include salary information of entities with 10 or more employees. For the purpose of the wage

and benefit process, the local market shall be viewed as the equivalent of one municipality. The occupational categories which will be affected by the local survey are the Clerical/Office Machine Operators/Technicians, the Labor Trades/Crafts and the Professional/Administrative/Technological.

A Wage and Benefit Committee shall be selected by the Grand Junction Employees Association. The committee shall be composed of one representative from each occupational category. Each representative shall be a member of the association.

Both the Colorado Municipal League Survey and the local survey shall report salary information for classifications which are found in the City of Grand Junction's Classification Plan. Those classifications which are common to the City of Grand Junction and which are reported in the Colorado Municipal League Survey and the local survey shall be defined as benchmarks and shall be used for the purpose of market comparability for each occupational category. Each occupational category shall contain at least one benchmark.

The Wage and Benefit Committee and the City Administration will review the benchmark market information prior to wage and benefit discussions. The wage and benefit process shall be initiated no later than August 1st preceding the new calendar and fiscal year. During the wage and benefit process, the Wage and Benefit Committee and the City of Grand Junction Administration will alternately strike an equal number of cities until four or five cities remain.

If there is an even number to begin with, four cities will remain on the list after striking; if there is an odd number to begin with, five cities will remain on the list after striking. The order of striking shall be determined by the flip of a coin. The chairman of the Wage and Benefit Committee shall flip the coin.

After striking, the remaining market data shall be averaged for each benchmark by adding the maximum rate paid for that benchmark by the remaining cities and dividing that number by the number of cities remaining for that benchmark, thus yielding an average maximum rate of pay for that benchmark. The average maximum rate of pay shall be compared to the City of Grand Junction's Step 6 for that benchmark and an average adjustment due that benchmark will be derived. Said adjustment may be positive or negative. The average adjustments due each benchmark shall then be averaged for each occupational category in order to derive an overall market adjustment for the occupational category. The overall market adjustment for each occupational category shall be applied to all classifications of that occupational category.

For the purpose of market adjustments, eight different market adjustments, each representing a different occupational category, shall be derived.

In addition to the market adjustments, salary adjustments shall also be determined. Of the cities which are used for the purpose of market adjustments, only those which provided their entire fiscal year increase of the previous (current) year on the first full paid period of January of that year are eligible for consideration in determining the level of salary adjustment. For those cities meeting the above criteria, the Wage and Benefit Committee and the City of Grand Junction Administration shall alternately strike from that list until four or five cities remain. If there is an even number to begin with, four cities will remain on the list after striking; if there is an odd number to begin with, five cities will remain on the list after striking. The previous (current) year fiscal adjustment given by the remaining cities will be averaged in order to derive one salary adjustment figure which will then be applied to all occupational categories.

Market and salary adjustments may yield a net increase or a net decrease. Market and salary adjustments for each occupational category, as derived by the wage determination process outlined in this ordinance, will be paid on the first pay period of the fiscal year under consideration for any market and salary adjustment which is less than or equal to 9.9%. Any market and salary adjustment which is due an occupational category and which exceeds 9.9% shall be disbursed as follows: 9.9% on the first pay period of the fiscal year under consideration; any remaining percentage due no later than 14th pay period of the fiscal year under consideration.

Fringe benefits shall be reviewed. Group fringe benefits are health, dental, life and supplemental retirement. Social Security or other retirement may be discussed and reviewed on an annual basis.

Questions regarding working conditions will be pursued through the department head. However, all representatives of the particular department must concur as to the questions and requests which shall be made in writing, signed by all the representatives of the department, with a copy to the City Administration. The purpose of this is to let City Administration know that such questions or requests were raised and the department head must respond.

IV. DISPUTES AND DISAGREEMENTS

If disagreements or disputes as to the above process, or parts thereof, as well as derivation of market determination (as outlined elsewhere in this ordinance), group benefits, special benefits, etc. arise between the City Administration, the Grand Junction Employees Association Wage and Benefit Committee or individual occupational group(s), the following process will be used for resolution:

In the event the City Administration or the representatives of the employees are unable to agree, after reasonable and responsible

discussion by both parties, concerning wages and fringe benefits and other things pertinent as outlined above, by October 1st of any year, either party may submit any and all unresolved issues pertaining to such a fact-finding commission for recommendation. The commission shall consist of three persons who are citizens and residents of the City of Grand Junction, but who are not employees of the City. The employees, acting through their representatives, shall appoint one member of the commission, the City Administration shall elect one person of its choosing. The third member of the commission shall be obtained from a list to be requested in writing from the Chief Judge of the 21st Judicial District.

Both parties shall request that the Chief Judge prepare such written list. The list shall consist of seven potential appointees and the City Administration and representatives of the employees shall alternately strike names until one name remains. This member shall serve as chairman.

A. Hearings of Commission. Upon seven calendar days' notice to either side, the citizens commission shall call a hearing at which both sides shall submit written statements of such facts and evidence as the commission deems relevant for assistance in resolving the issues in dispute. At any such hearing, rules of evidence shall not be strictly applied and the hearing shall be held in an informal fashion. There shall be a record of the proceedings.

B. Findings of Commission. No later than fifteen (15) calendar days after the conclusion of the hearing and submission of written statements, the commission shall issue written findings of fact, recommendations for resolution of the matters in dispute. Such findings and recommendations shall be given to both the representatives of the employees and the City Administration prior to their presentation to the City Council.

C. Basis for Findings of Commission. The citizens commission shall consider and base their recommendations on the following matters:

1. the lawful authority of the City;
2. any stipulations and requests of both parties;
3. the interest and welfare of the public;
4. the ability of the City to finance any of the economic adjustments on the normal existing standard of public services provided by the City;
5. comparison of wages and conditions of employment of employees involved in the fact-finding proceeding with the wages and conditions of employment of other employees performing similar services and with other employees generally in public employment in comparable communities and in private employment in comparable

communities;

6. the past understandings between the parties and the history which led to such understandings;

7. comparison of prevailing total compensation paid by municipalities and private industry in the applicable labor market, market area and employee classifications involved;

8. the impact of proposed changes on the operations of the municipal services;

9. such other factors not limited to those above which are considered pertinent to this system of wage and fringe benefit determination as outlined elsewhere in this ordinance.

D. Extension of Time. When deemed necessary by the commission and upon making a finding that no prejudice will result to either party, the chairman of the citizens commission may extend the time for issuing the commission's written findings of fact and recommendations for resolution five (5) additional calendar days.

V. CONSIDERATION OF COMMISSION'S FINDINGS

Within five (5) days after the issuance of the fact-finding recommendations of the citizens commission, representatives of the employees association and the City Administration shall meet to discuss each party's position with respect to the recommendations. No later than fifteen (15) days after the decision of the citizens commission is rendered, the City Council shall consider the citizens commission's recommendations and shall make a final determination.

PASSED and ADOPTED this 6th day of July, 1983

Gary Lucero

President of the Council

Attest:

Neva B. Lockhart, CMC

City Clerk

I HEREBY CERTIFY that the foregoing ordinance, being Ordinance No. 2133, was introduced, read, and ordered published by the City Council of the City of Grand Junction, Colorado, at a regular meeting of said body held on the 22nd day of June, 1983, and that the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, at least ten days before its final passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the

official seal of said City this 7th day of July, 1983.

Neva B. Lockhart

Neva B. Lockhart, CMC
City Clerk

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