

Fire 'Lies'

Unofficial publication of a member of the Uniformed Firefighter Association of the greater New York

Special Contract issue

by: Mark B l113

I think it's important for a UFA member to know and understand what we LOSE if this contract is ratified. Important to know and understand what we KEEP and GAIN if this contract is rejected and why the UFA executive has thrown in the towel and given in.

The Reason Mr. Cassidy took this deal is simple; he walked out on the original meeting between the city negotiators and the uniformed collation. Doing so WEAKENED the uniformed collations ability to bargain for a better contract. Removing the UFA from the original negotiations took a union of over 8000 members, one of the largest in the collation, and handcuffed the remaining unions into accepting these miniscule 11% over 7 year contracts. The city called your bluff Mr Cassidy. "No, you won't wait for the NYPD to settle in PERB, here is your 11% over 7 years." Now is the time for us to call out the city, to point out the increased work loads, added dangers, risk and responsibility, and to demand compensation in the form of a RAISE. We will do better, we WILL beat the PATTERN like it has been beaten before.

First, We won't need to make 8 extra appearances for overtime in the form of RSOT. If we wait for PD PERB award like Mr. Cassidy has said meeting after meeting, then we can get a decent raise without having to work to get paid. Wouldn't a \$6000 RAISE be better than working 8 extra tours to get paid? 8 extra days home with your families, 8 extra days in the valley house, all while being paid \$6000 more!

Parity with PD is our #1 negotiation tool. The PERB PATTERN, 29.5% over 6 years sounds like a much better PATTERN than the 11% over 7 years this contract offers!

Second, we lost 60 5 man engine companies, and have doubled and tripled our workloads, added a day of BI etc. Why should WE have to pay for a public safety issue? The city took 60 FF off engines and said that it was not a contractual issue when they did it. STAFFING IS A PUBLIC SAFETY ISSUE NOT A CONTRACTUAL ONE!

'All Unit Circular' AUC 281 mandates the 'C' staffing level. Great, what does the city care about our internal AUC's? Is an AUC a Law? Penal code? Administrative code? NO,no, NOPE! AUC is just another loophole the city can and will use to change/ lower our manpower with.

PLEASE, Don't forget that when Medical Leave reaches 7.5% it "triggers" a loss of the C+20. 7.5% of 8000 members is 600 firefighters. Currently medical leave is 7.1% of 8000 = 568 firefighters, a difference of 32 FF and we lose the C+20. POOF! C+20 gone. Besides we all know 5th man details after the hour solves manpower issues.

Third, We Reach an agreement that restores 3/4 and disability benefits for tier 3/6 members. OR is it that we gave up a Lawsuit "that had teeth" and would have exposed corruption by a unnamed city council member?? That unnamed city council woman is actively blocking tier 3/6 from getting legislation passed in Albany to restore 3/4 and disability benefits. Sound like extortion??

The public Employee Fair Employment Act also known as the Taylor Law, Prohibits extortion of this kind by the city. The Taylor Law protects us from shady, borderline illegal actions of the city and its council members. Article 14, 201(4) of the Taylor Law provides that "the terms and conditions of employment shall NOT include any Benefits provided by or to be provided by a public retirement system, or payments to a fund or insurer to provide an income for retirees, or payment to retirees or their beneficiaries, and **declare that no such retirement benefits shall be negotiated pursuant to article 14 of that law.**

The STATE and ONLY the State of NY can pass legislation regarding 3/4 and presumptives to tier 3/6 members. Who represents the State? Gov Andrew Cuomo.

Gov Cuomo recently received "man of the year" award from the NYPD. After receiving the Award, Gov Cuomo gave a speech; here is some of what he had to say. "I recognize my responsibility as an elected official to not only work with you but to support you in what you do. You deserve to be paid for the job that you do. I said it before and I will say it again: it is unconscionable that for the NYPD would have lower pension benefits for its personnel than the other police departments in the State of Ny. That makes no sense. It's Unfair. **Law Has to be changed because it's purely unfair**" **"You deserve to be paid for the job that you do"**

Youtube "PBA conference GOV"

Forth, The UFA executive board feels the city will not negotiate and declare an impasse if we don't ratify this contract. That would send us to PERB. PERB is the NYS Public Employment Relations Board. PERB was set up under the Taylor Law. 3 party's are involved; the city, the UFA and a NEUTRAL ARBITRATOR appointed by the STATE that we both agree on. According to the Taylor Law section 9:

(v) the public arbitration panel shall make a **just and reasonable** determination of the matters in dispute. In arriving at such determination, the panel shall specify the basis for its findings, **taking into consideration**, in addition to any other relevant factors, the following:

- a. comparison of the wages, hours and conditions of employment of the employees involved in the arbitration proceeding with the wages, hours, and conditions of employment of other employees performing similar services or requiring similar skills under similar working conditions and with other employees generally in public and private employment in comparable communities;
- b. the interests and welfare of the public and the financial ability of the public employer to pay;
- c. comparison of peculiarities in regard to other trades or professions, including specifically, **(1) hazards of employment; (2) physical qualifications; (3) educational qualifications; (4) mental qualifications; (5) job training and skills;**
- d. the terms of collective agreements negotiated between the parties in the past providing for compensation and fringe benefits, including, but not limited to, the provisions for salary, insurance and retirement benefits, medical and hospitalization benefits, paid time off and job security.

So why is the board afraid to go to perb? The same PERB that we have piggybacked off of the PBA to gain 29.5% over 6 years in our most recent previous contracts.

Fifth, Values. Concessions/ Give backs? What are the values for tier 3/6 paying 3% more into pension? The values of CFRD on STRAIGHT TIME? RSOT? NO RE-OPENER? What compensation in the form of RAISES are we getting for doing more with less? Certainly not 11% over 7 years!! All those givebacks and concessions deserve at least 35% over 7 years!! Hey we can ask for it in PERB, prove our case to the NEUTRAL STATE appointed middle-man and maybe we get it. Going on PERB **PATTERN** its worth a shot.

I hope you will consider all this when making your decision. 65-? can be found online in PDF format and downloaded from www.pdf-archive.com/2015/09/07/contract-talk.pdf