

COLLECTIVE BARGAINING

Directive: 6.58

A. COLLECTIVE BARGAINING

The City of Wilmington Government recognizes the Fraternal Order of Police Lodge #1 (FOP) as the sole and exclusive bargaining agent for all sworn employees up to and including the rank of Lieutenant, covered by the contractual agreement of a current year. The ranks of Captain, Inspector and Chief are represented on an individual or group basis by members of the particular rank. Civilian employees are represented by Local Union #1102. The purpose of the agreements is to ensure harmonious relations, cooperation and understanding between City Government and all employees of the Department of Police. Both parties, conducting negotiations based on the principle of "good faith", shall establish such components of the contractual agreement as salaries, rates of pay, hours of employment, grievance handling, working conditions, pensions as permitted by applicable law, and other terms of employment.

The structure of the City of Wilmington Negotiating Team shall be based on the specific bargaining group negotiating with the City. In all cases there is a Chief Negotiator. The Chief Negotiator for the City may be a member of the "City Personnel Department (Personnel Director or an outside labor consultant). In all negotiations, the Director of Personnel is the City's official representative. During the negotiating process, the Chief of Police or his designee, acts as a liaison between the City Negotiators and the FOP Negotiating Team.

The FOP Negotiating Team is selected by the FOP President from a group of FOP members who have submitted their name as a volunteer to serve on the team. After a negotiating team has been selected by the FOP President, the team itself elects a member of the team to act as the principal spokesperson or chief negotiator.

Prior to the actual negotiation process, the City and the FOP shall meet to determine the "ground rules" for the negotiations. The ground rules usually include but are not limited to;

- ▶ the size and composition of bargaining teams;
- ▶ the compensation of agency employees serving as official members of the bargaining teams during the bargaining process;
- ▶ the time schedules and agendas for meetings;

- ▶ the procedures governing release of information to third parties (including media) during the bargaining process;
- ▶ the method of recording the deliberations, if any;
- ▶ the methods of introducing issues;
- ▶ the methods for resolving conflict.

In the event of an impasse, as defined by law between the FOP negotiating team and the City of Wilmington Government, an impartial arbitrator will be selected by the Lodge and the City of Wilmington. The cost of the arbitrator is borne equally by both parties. In the event they are unable to agree on an arbitrator, the selection shall be through and pursuant to the rules of the American Arbitration Association. The arbitration is non-binding, however, the arbitrator's decisions are usually accepted by both parties.

Upon the agreement of the terms and conditions for employment between the FOP and the City of Wilmington Government negotiators, the agreement will be signed by the negotiating team members and the Mayor for the City Of Wilmington. The agreement is attested by the City Clerk and approved as to form by the City Solicitor. Copies of the Agreement will be retained by the Chief of Police and distributed to all members of the Fraternal Order Of Police by FOP Lodge #1 upon request or attendance of an FOP meeting.

The Chief of Police or designee, shall ensure that all supervisory and management personnel are informed of the terms of the agreement affecting personnel under their supervision. The Chief of Police or designee will review and amend those administrative directives necessary to ensure compliance with the agreement.

For information on Civilian Personnel, refer to the current agreement between the American Federation of State, County and Municipal Employees Local # 1102 (AFSCME) and the City of Wilmington Government.