



Background Paper for Proposed Ordinance

COUNCIL MEETING DATE: June 13, 2022

TO: President Heather Graham and Members of City Council
VIA: Marisa Stoller, City Clerk
FROM: Mayor Nicholas A. Gradisar
Robert Jagger, Deputy City Attorney
Marisa Pacheco, Director of Human Resources
SUBJECT: AN ORDINANCE APPROVING AND ENACTING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF PUEBLO AND THE PUEBLO ASSOCIATION OF GOVERNMENT EMPLOYEES COMMENCING JANUARY 1, 2023, AND AUTHORIZING THE MAYOR TO EXECUTE SAME

SUMMARY:

Attached is a proposed Ordinance which would approve and enact the collective bargaining agreement between the City of Pueblo and the Pueblo Association of Government Employees ("Union") commencing January 1, 2023. Pursuant to §8-14(l) of the City Charter, any collective bargaining agreement negotiated between the Union and the City shall be reduced to writing, signed by the parties, and enacted by Ordinance.

PREVIOUS COUNCIL ACTION:

Not Applicable.

BACKGROUND:

The current collective bargaining agreement between the City and Union expires on December 31, 2022. Pursuant to the requirements of the City Charter, the City and Union commenced negotiations with respect to a contract in May of this year. Through the negotiation process, the parties have successfully reached a tentative agreement with respect to a successor contract beginning January 1, 2023. Pursuant to §8-14(l) of the Charter, such an agreement is required to be enacted as an Ordinance.

The successor contract contains the following specific changes with respect to the prior contract:

Article 15. Wages

For 2023, The monthly pay rate for all classifications shall be increased by 6.5% for all 10 steps of the respective salary schedule for 2023. This wage increase was derived from the same methodology used for the last several years of the contract setting pay levels by an amount equal to the Regional Adjustment multiplied by the CPI-W Index for Denver-Aurora-Lakewood Colorado.

CPI – Change is 7.9%

Table 1. Consumer Price Index for All Urban Consumers (CPI-U): Indexes and percent changes for selected periods, Denver-Aurora-Lakewood, CO (1982-84=100 unless otherwise noted)

Item and Group	Indexes			Percent change from -		
	Nov. 2021	Dec. 2021	Jan. 2022	Jan. 2021	Nov. 2021	Dec. 2021
All Items	289.621	-	293.580	7.9	1.4	-

C2ER – COLI – Regional Adjustment - 82%

Below are index numbers, expected spending by household types, and average prices of each selected areas compared to the national average:

Index Comparison			
Index	Denver, CO	Pueblo, CO	National Average
Composite (100%)	113.5	95.0	100.0

PAGE 2023 Wage Increase – 6.5%

$$7.9\%/100 = 0.079\%$$

$$.079 \times 82 = 6.5\%$$

For purposes of the foregoing calculation, the following terms have the following meanings:

"Regional Adjustment" means the quotient obtained by dividing the 2022 average annual cost of living index for the Pueblo, CO Metro (Pueblo Urban Area) by the 2022 average annual cost of living index for the Denver Aurora-Lakewood CO Metro (Denver Urban Area). The average annual cost of living index for each area shall be the composite index of the same name as published by the Council for Community and Economic Research (C2ER); and

"CPI Index" means the percentage increase for the period from January 2021 to January 2022 according to the following CPI index published by the United States Department of Labor's Bureau of Labor Statistics:

Population Coverage: CPI-W

Area Coverage: Denver-Aurora-Lakewood Colorado Series Items: All Items

Base Period: 1982-1984=100

Additional salary range adjustments, beyond the 6.5% across-the-board wage increase were made to the following classifications based on a review of 2022 external salary data collected from comparison agencies by Colorado Municipal League:

- Administrative Technician
- Area Crew Leader/ Streets, Parks, Stormwater
- Associate Engineer I
- Associate Engineer II/Public Works, Stormwater and Wastewater
- Associate Field Engineer
- Dispatch Training Coordinator
- Emergency Services Dispatcher
- Emergency Services Dispatch Supervisor
- Equipment Operator II
- Equipment Operator IV
- Inspector/ Stormwater, Streets, Wastewater

- Lead Court Technician
- Legal Support Assistant
- Parks Caretaker II
- Parks Caretaker II/Irrigation and Playground
- Parks Maintenance Mechanic
- Parks Sr. Maintenance Mechanic/Welder
- Payroll Coordinator
- Police Payroll Technician
- Senior Office Assistant
- Streets Maintenance Mechanic
- Sweeper Operator
- Traffic Engineering Analyst
- WW Utility Worker II

If, and in the event that, the City exercises its option to extend the term of this Agreement for the period January 1, 2024, through December 31, 2024, and January 1, 2025, through December 31, 2025, the monthly pay rate for each class, grade, step, or position of employees covered by this Agreement shall be increased over the amount set by Ordinance establishing the previous year pay levels by an amount equal to the Regional Adjustment multiplied by the CPI Index for the time periods relevant to year as outlined in the methodology above.

Article 15 Wages and Other Payment – Shift Differential

Added clarifying language indicating that shift differential is based on shift start time and should be paid for the entirety of the shift.

Article 16 Uniform Protective Clothing – Special Footwear

Annual safety shoe allowance will be increased from \$175 per year to \$200 per year.

Article 18 Hours of Work – Stand By Time

The minimum compensated rate for an employee who is called back to work prior to the beginning of the next regularly scheduled shift will be increased from one hour to two hours.

Article 20 Leaves and Other Absences – Sick Leave

The amount of sick leave that can be used for a sick family member will be increased from 3 days to “an amount consistent with that required under the Healthy Families and Workplaces Act”, which is currently set at 48 hours per calendar year.

Article 20 Leaves and Other Absences – Funeral Leave

No change in benefit, just replaced with clarifying language as to how benefit should be administered.

Article 23 Holidays

Juneteenth Day (June 19th) shall be recognized as a declared holiday in addition to those designated in Section 1 of said Article.

Article 25 Health, Hospitalization, and Dental Insurance

City contribution towards health insurance will be increased by \$25 for all coverage levels of all plans.

Article 32 Term.

The term of the agreement is for 3 years subject to the City approving any subsequent year contract extension on or before March 15th of the then current year. The City will know the amount of the wage increase for the subsequent year prior to the time the decision to extend the contract has to be made. If not extended by City, the parties will commence the negotiation process for a successor contract in compliance with the requirement of Section 8-14, City Charter.

Various Housekeeping Items

In addition to the above items, there were also various “housekeeping” changes that were made throughout the Contract and Appendices to update job class titles that have been added, eliminated, or changed throughout the duration of the current contract term.

FINANCIAL IMPLICATIONS:

The total estimated cost of the contract for 2023 including the across-the-board wage increase of 6.5%, step increases, and all other specific classification adjustments listed above is approximately \$1,577,160.

The cost to increase the safety shoe allowance is approximately \$3,375.

The cost to increase the City’s health insurance contributions is approximately \$68,000.

BOARD/COMMISSION RECOMMENDATION:

Not applicable.

STAKEHOLDER PROCESS:

Not applicable.

ALTERNATIVES:

The requirements of §8-14(I) of Charter require the agreement be enacted as an Ordinance.

RECOMMENDATION:

City Administration recommends approval of this Ordinance.

Attachments:

A copy of the Collective Bargaining Agreement between the City and the Union commencing January 1, 2023.

ORDINANCE NO. _____

AN ORDINANCE APPROVING AND ENACTING THE
COLLECTIVE BARGAINING AGREEMENT BETWEEN THE
CITY OF PUEBLO AND THE PUEBLO ASSOCIATION OF
GOVERNMENT EMPLOYEES COMMENCING JANUARY
1, 2023 AND AUTHORIZING THE MAYOR TO EXECUTE
SAME

WHEREAS, pursuant to the requirement of Section 8-14, City Charter, the corporate authorities of the City of Pueblo and the sole and exclusive bargaining agent of the classified employees in the general services bargaining unit, i.e. Pueblo Association of Government Employees, have negotiated and otherwise resolved all remaining issues by final and binding interest arbitration with respect to a collective bargaining agreement commencing January 1, 2023 (the "Labor Agreement"); and

WHEREAS, the Labor Agreement has been reduced to writing and signed by said parties pursuant to the requirements of Section 8-14(l) of the Charter, City of Pueblo, Colorado; and

WHEREAS, Section 8-14(l) of the Charter of the City of Pueblo, Colorado, further requires that the Labor Agreement be enacted as an Ordinance; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF PUEBLO, that

SECTION 1.

The Collective Bargaining Agreement between the City of Pueblo and the Pueblo Association of Government Employees commencing January 1, 2023, a copy of which is attached hereto, having been approved as to form by the City Attorney, is hereby approved and enacted as an Ordinance.

SECTION 2.

The Mayor is authorized to execute the Collective Bargaining Agreement in the name of the City.

SECTION 3.

The officers and staff of the City are authorized to perform any and all acts consistent with the intent of this Ordinance to implement the policies and procedures described herein.

SECTION 4.

This Ordinance shall become effective on the date of final action by the Mayor and City Council.

Action by City Council:

Introduced and initial adoption of Ordinance by City Council on _____.

Final adoption of Ordinance by City Council on _____.

President of City Council

Action by the Mayor:

☐ Approved on _____.

☐ Disapproved on _____ based on the following objections:

Mayor

Action by City Council After Disapproval by the Mayor:

☐ Council did not act to override the Mayor's veto.

☐ Ordinance re-adopted on a vote of _____, on _____

☐ Council action on _____ failed to override the Mayor's veto.

President of City Council

ATTEST

City Clerk