

In The Matter Of:
*City of Memphis and
Memphis Police Association*

*Labor Negotiations
March 25, 2011*

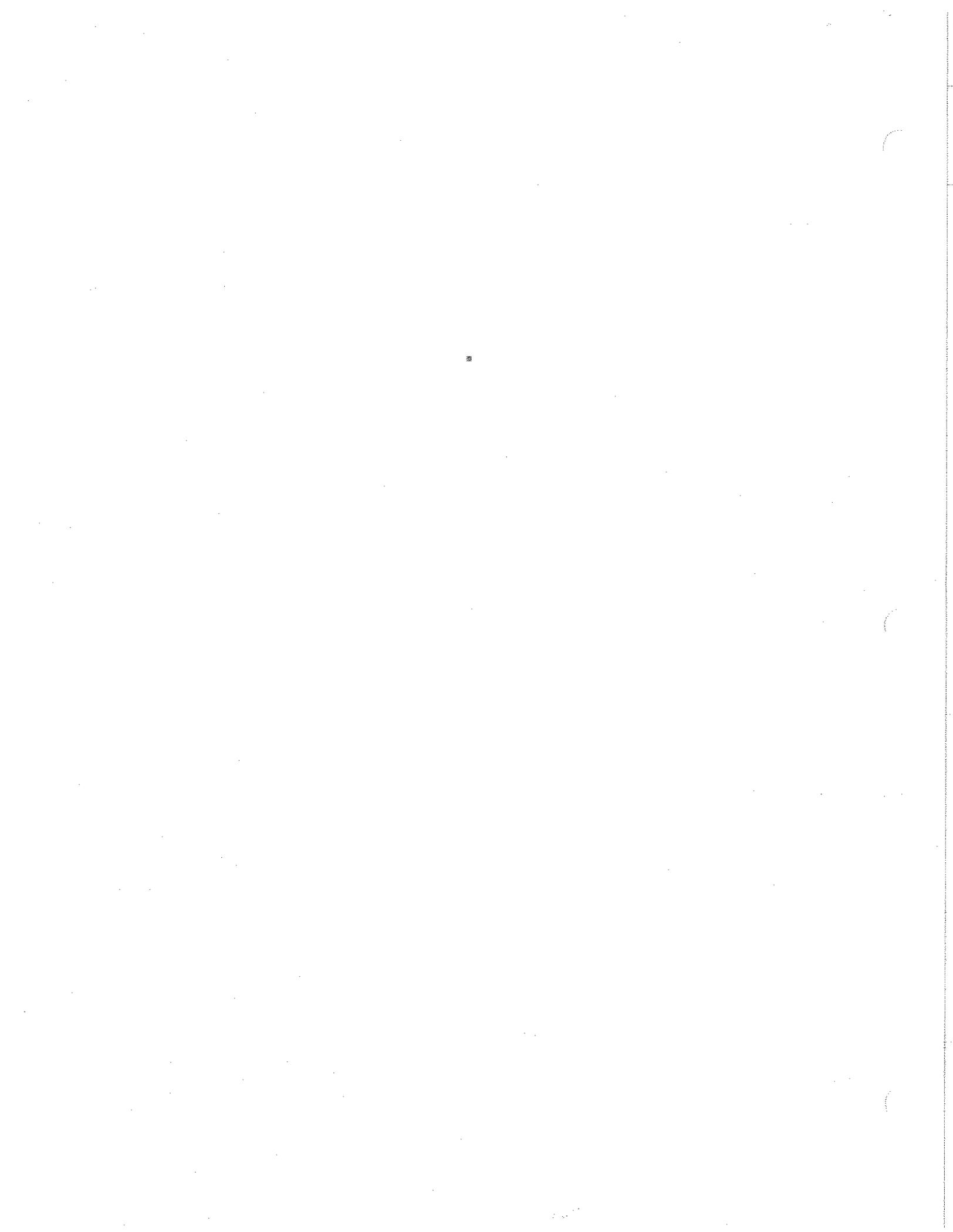
*Alpha Reporting Corporation
236 Adams Avenue
Memphis, TN 38103
901-523-8974*



ORIGINAL

Original File 12527ln.txt

Min-U-Script® with Word Index



A P P E A R A N C E S

FOR THE CITY OF MEMPHIS:

GERALD THORNTON, ESQ.
FELICIA A. HEASTON, ESQ.
ANTONIO ADAMS, ESQ.
City of Memphis
Division of Human Resources
125 North Main
Suite 414
Memphis, Tennessee 38103
(901) 576-6697

FOR THE MEMPHIS POLICE ASSOCIATION:

DEBORAH GODWIN, ESQ.
Godwin Morris Laurenzi Bloomfield
50 North Front Street
Suite 800
Memphis, Tennessee 38103
(901) 528-1702

ALSO PRESENT:

JEFF CLARK
JIM HARVEY
JAMES SEWELL
MIKE WILLIAMS
ESICA LITTLEJOHN

COURT REPORTING FIRM:

ALPHA REPORTING CORPORATION
KORIAN NEAL, RPR, CCR, LCR #402
236 Adams Avenue
Memphis, Tennessee 38103
(901) 523-8974
www.alphareporting.com

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

P R O C E E D I N G S

* * * * *

MR. THORNTON: We're on the record with the Memphis Police Association and the City of Memphis. My name is Gerald Thornton with EEO. I have with me Felicia Heaston.

For the record, also, I'm going to defer as my chief spokesperson today Colonel Jeff Clark. We also have Ms. Deborah Godwin who's representing the Association. And J.D. Sewell is president, and Mike Williams is vice president of the Association. Ms. Esica --

MS. GODWIN: Esica Littlejohn is the bargaining chairman.

MR. THORNTON: Esica Littlejohn is the what?

MS. GODWIN: Bargaining committee chairman.

MR. THORNTON: Okay. Anyone else want to identify themselves on the record? The present time is 3:45.

First of all, Ms. Godwin, have you seen our rules, and do you agree with those rules?

MS. GODWIN: Frankly, no, I don't agree

1 with the ground rules. In the past, we've
2 proceeded without ground rules without any
3 problems. If you would like to go ahead in that
4 way, that's fine.

5 Most of them are okay. We just have a
6 problem with you putting a stipulation on our
7 ability to make public statements.

8 MR. THORNTON: That's fine. We can
9 proceed.

10 MS. GODWIN: Okay.

11 MR. THORNTON: Okay. Let's start from
12 the top.

13 COLONEL CLARK: We'll start just in
14 chronological order. Four is the first one.

15 MS. GODWIN: Yeah. Let me just make a --
16 just an opening comment for the record, that
17 there have been some discussions between the
18 parties over the past months, some productive
19 discussions, just in anticipation of these
20 negotiations and that I think that the membership
21 of the MPA understands the uncertain financial
22 times that we are -- that the City is in,
23 particularly in light of the school situation.

24 And we are certainly hopeful that by this

1 time next year, that some of those issues will be
2 worked out one way or the other and there will be
3 more understandable -- a more understandable
4 situation.

5 And so we are -- with certain changes in
6 the language that I think we are going to be able
7 to present back and forth today, we're prepared
8 to extend the contract, or the MOU, for two years
9 with a one-year wage reopener. And that's
10 conditioned upon some other language changes that
11 we've been discussing.

12 So with that said, if you want to,
13 Colonel Clark, go over those language changes or
14 proposals?

15 COLONEL CLARK: You just want to read
16 them into the record or -- I mean, I've reviewed
17 them. Did you pass a copy of all of it over?

18 MR. THORNTON: She's got what you got.

19 COLONEL CLARK: Do y'all want to just
20 take a quick huddle? I've checked them to see,
21 you know, what I scanned and sent to y'all. The
22 only difference, of course, from the scan was
23 the -- you and I communicated and J.D. and
24 everybody on an e-mail about the article where,

1 you know, form allowance where the director
2 signed off chief of administrative services. But
3 then you and I talked back and forth. You
4 presented it as director of Police Services to
5 the board.

6 So I mean, how much --

7 MS. GODWIN: Well, let's just go through
8 each -- at least put each article in and talk
9 about the changes. So that starts with Article
10 4, bargaining unit. Right?

11 Esica has got one for everybody. So
12 what, perhaps, we can do is we have a -- the one
13 with the changes are 4?

14 MR. THORNTON: For the record --

15 COLONEL CLARK: The one that they sent is
16 a clean one, and it should be everything except
17 for the redacted portions.

18 MR. THORNTON: For the record, Debbie,
19 the one you have is actually, if you will, there
20 was some language changed. Like for instance,
21 when it comes to the wage article, it stipulates
22 what you all submitted as well as clean-up
23 language. And there was another one that --

24 MS. GODWIN: I know. So that's why we

1 need to go through each one.

2 MR. THORNTON: Yes.

3 COLONEL CLARK: Right. What I'm going to
4 do is I'm going to hand those back over. Because
5 those are -- those are things we said upon the
6 Mayor and Gerald and all that stuff.

7 So on Article 4, it's real simple. The
8 first paragraph in the old language, we agreed to
9 strike senior dispatchers not including this
10 unit. That's the only change to that point.

11 MS. GODWIN: Why don't we hand you one
12 that's got the changes on it.

13 COLONEL CLARK: The only thing -- I'm
14 assuming that this is the one that we want to
15 sign off on, right, the that one that Gerald
16 handed out?

17 MR. THORNTON: Correct.

18 MS. GODWIN: Right.

19 COLONEL CLARK: So how about -- the way
20 that Chief -- the way Chief Harvey did this while
21 ago with me -- we were handed this a little bit
22 before y'all. And we took and just -- I can read
23 it to you to see what was what. So --

24 MS. GODWIN: That's fine.

1 COLONEL CLARK: -- you want to proceed
2 that way?

3 MS. GODWIN: Yeah. I think that's a good
4 idea. Why don't you go --

5 COLONEL CLARK: I'll read it back to
6 you.

7 MS. GODWIN: Okay.

8 COLONEL CLARK: But I'm going to skip
9 where there's no language change. Fair enough?

10 MS. GODWIN: Okay.

11 COLONEL CLARK: Okay. Article 4, the
12 first paragraph will now read, the bargaining
13 unit to which this agreement applies to will
14 include all commissioned officers below the rank
15 of lieutenant as provided below. Old language of
16 senior dispatchers are not included in this
17 unit. Both sides agree to strike out. Agree?

18 MS. GODWIN: Correct. Yes.

19 COLONEL CLARK: There's no changes in
20 Number 1. And Number 2, I'm going to start and
21 read through the change. It will read, "Officers
22 assigned to the Fiscal Affairs Bureau, the
23 Inspectional Services Bureau and the Executive
24 Bureau will be included in the bargaining unit

1 but excluded from Article 17, bidding provisions,
2 and are excluded from Article 20A, shift
3 differentials, parenthesis, variable shifts, end
4 of parenthesis.

5 The director of Police Services will fill
6 and replace positions in the Fiscal Affairs
7 Bureau, Special Services Bureau and Executive
8 Bureau at the director's discretion."

9 And that's -- stop. We agreed to take
10 out drug education and awareness. We agreed to
11 take out -- coordinator, that is. We agreed to
12 take out crime prevention. We agreed to insert
13 in COLEA (spelled phonetically).

14 MS. GODWIN: Correct. Agreed.

15 COLONEL CLARK: I'm going to skip down
16 to -- and anything that I skip is existing
17 language.

18 MS. GODWIN: Right.

19 COLONEL CLARK: I'm going to skip down to
20 the only exception to this -- let me find my
21 other sheet. I'm reading on two different
22 pages.

23 It will be easier to start, "In the event
24 the City removes an officer from a bid assignment

1 and places him into a non-bid position, the
2 officer may not work in any other bid position
3 that is not his home bid position. Any employee
4 working in a non-bid job who successfully bids to
5 a new position must work in the new bid
6 position. Although the employee may bid to a new
7 bid position, he or she will be excluded from any
8 non-bid position for 12 consecutive months.

9 The only exception to this will be
10 employees whose home bid positions change as a
11 result of job deletion."

12 We agreed to add or promotion. This is
13 all new language here: "Employees promoted while
14 in non-bid positions must participate in the
15 subsequent complete bid process resulting from
16 the deletion or promotion to establish a home bid
17 without being transferred to that home bid after
18 resulting bid process is complete.

19 The department will identify remaining
20 job openings based on the operational need
21 combined with the number of employees that were
22 not successful in obtaining a home bid.

23 These positions will be filled by
24 seniority preference and once filled will signify