

# The New Negotiator

“Preparation is key to a successful negotiation, it’s not about predicting the future, it’s about minimizing the surprise.”



Chris Coats District 2 Vice-President [d2vp@affi1935.org](mailto:d2vp@affi1935.org)  
Steve Perry District 3 Vice-President [d3vp@affi1935.org](mailto:d3vp@affi1935.org)

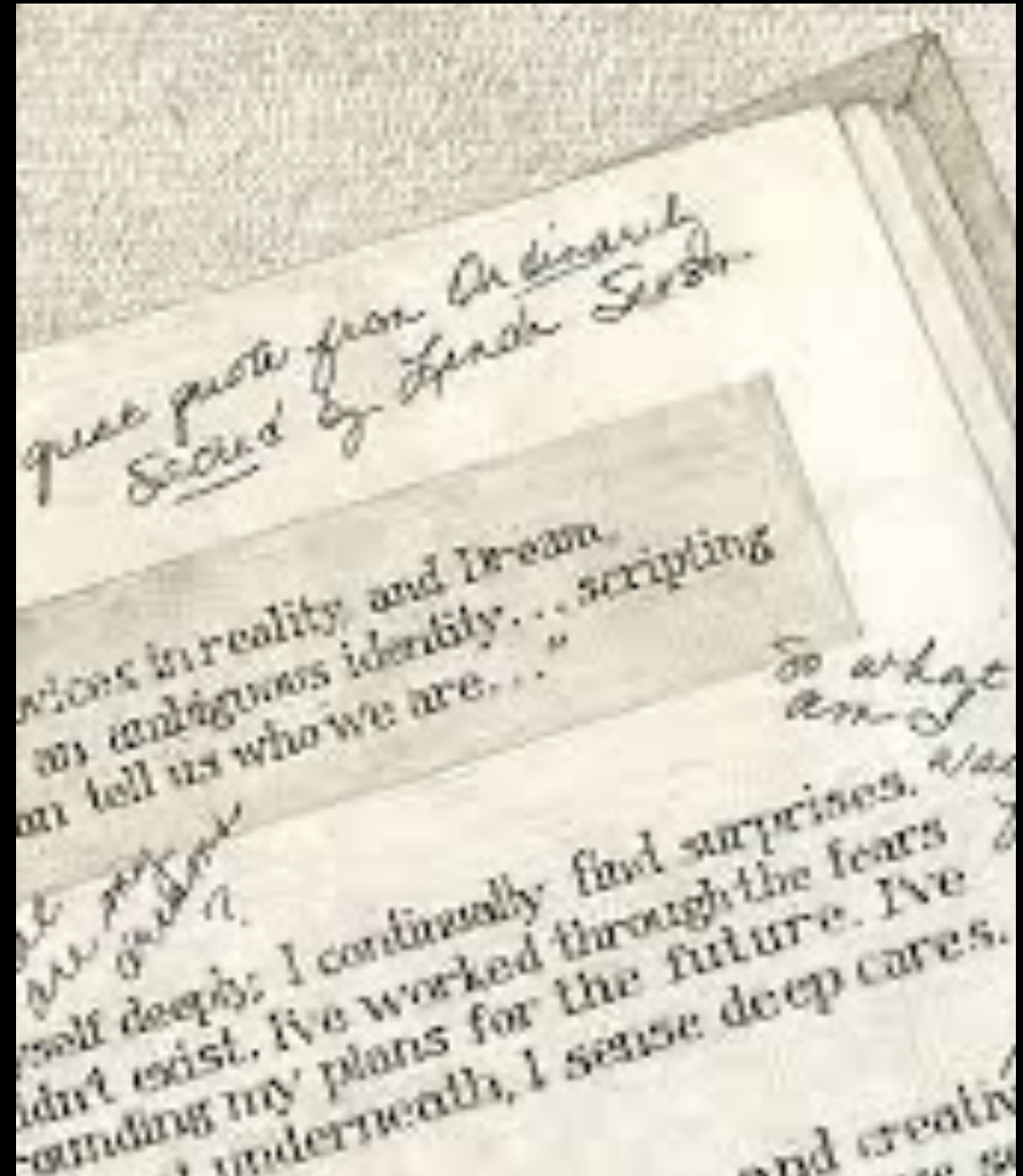


**When do I start to  
prepare?**



# Track issues with language

- Even mature contracts need clean up
- Track language that has caused grievances
- These make good starting points for negotiations





# Preparing for negotiations 6 Months out

- Confer with your DVP on filing your demand to bargain letter
- Know what your window for filing is!
- Have your DVP request a Municipal Financial Analysis
- Collective Bargaining Roadmap on AFFI website has a template to keep you on track



# Where do I start?

- Determine the makeup of your bargaining team
- Poll your membership to find out the issues they would like to see addressed
- Look back through your files for unfinished issues bargained previously
- Proofread the contract for clean up items
- See if any other units in your City/District have settled.



# Determine what you want to bargain over

- Break down the issues your membership wants to negotiate
- Determine what's feasible and what is not
- Rank your demands from most important to least





# Know the types of bargaining topics

## Mandatory, Permissive, Economic and Non-Economic





# Mandatory and Permissive

- Mandatory

- Hours of work
- Wages
- Time Off
- Shift Staffing
- Promotional Testing
- Discipline

- Permissive

- Unit Recognition
- Retiree Benefits
- Shift Trades
- Department staffing
- Any Waiver of a Statutory right





# Economic vs Non-Economic items

- Economic

- Hours
- Wages
- Insurance
- Time off
- Other working Conditions

- Non Economic

- Station of Shift Bidding
- Vacation picks
- Promotional Weighting
- Other items in the contract with no cost



# Getting assistance from the AFFI and IAFF



# Get your DVP Involved

- Assistance from the AFFI
  - Utilize your DVP!!!
    - We want to help you succeed
  - Confer on current trends and settlements
  - Provide ideas or help with strategy
  - Assist with data resources
  - We can sit right at the table with you!
    - We're only a phone call away!



# Things your DVP can provide

- Use your DVP to make sure you're fully prepared
  - Language help
  - MFA's
  - Determining Comparable communities
  - Ranking your "wish list" with what's attainable
  - Preparing your proposal
  - Help with tools to argue your point



The New Negotiator

# Municipal Financial Analysis

- Provides overview of the employers overall financial standing
- Provides ammunition if the employer cries poor
- Breaks down all the funds and fund balances showing what is available



## INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS

### EXECUTIVE BOARD

Edward A. Kelly  
General President

Frank V. Lima  
General Secretary-Treasurer

James Slevin  
1st District Vice President

Mark Woolbright  
2nd District Vice President

Jay Colbert  
3rd District Vice President

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Mike Carter  
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Ricky Walsh  
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Mark Sanders  
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Michael Frainier  
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Stephen Gilman  
10th District Vice President

Roy L. "Sandy" McGhee  
11th District Vice President

Walter (Walt) Dix  
12th District Vice President

Fred LeBlanc  
13th District Vice President

Danny Todd  
14th District Vice President

David Burry  
15th District Vice President

James B. Johnson  
16th District Vice President

### TRUSTEES

Alex Forrest

Anthony Mejia

Mark S. Ouellette

February 12, 2024

Mr. Chad Pacey, President  
IAFF Local 2442, Normal  
3304 Eagle Crest Rd  
Bloomington, IL 61704-8344

Dear President Pacey,

In response to your request for a municipal financial analysis, we have reviewed the FY21 - FY23 financial documents for the Town of Normal, IL.

Businesses and governments have different objectives and operate in distinct environments. A business enterprise aims to maximize profit, and the profit reported on its income statement usually provides a reasonable measure of its success. A local government aims to provide services to its constituents within budgetary constraints, and while it tries to provide those services in a cost-effective way, it is not profit motivated.

Because of these differences, governments use an accounting technique that is unique to governments known as "fund accounting." A fund represents an entity with a separate set of accounting records segregated to carry on a specific activity. Each fund has assets, liabilities, and a **fund balance** or **fund equity** that equals assets minus liabilities. Each fund begins the fiscal year with a beginning fund balance from the previous year, takes in revenue during the current year, pays expenses for the current year, and ends the year with a new fund balance that carries over into the next fiscal year.

The fund balance is significant because it represents the fund's reserves and is an important measure of a local government's fiscal strength. Although the condition of every fund is relevant when analyzing a government's financial health, this analysis focuses primarily on the **general fund** because it finances general government operations, including the day-to-day operations of the fire department, such as salaries. Most towns account for the fire department within the general fund.

Most of the information needed to evaluate a local government's financial condition can be found in its **comprehensive annual financial report** or **audited financial statement**. This document contains two important financial statements, each of which calculates the fund balance in a different way, but both of which give the same dollar figure. They are:

1750 New York Avenue NW  
Washington, DC 20006

IAFF.ORG



<u>Date</u>	<u>Total Assets</u>	<u>Cash and Investments</u>	<u>Total Liabilities</u>	<u>Liability Ratio</u>	<u>General Fund Balance</u>	<u>Unreserved Fund Balance</u>
4/30/14	\$2,064,387	\$1,037,051	\$488,526	4.23	\$1,575,861	\$1,477,807
4/30/15	\$1,350,034	\$89,028	\$468,365	2.88	\$881,669	\$798,754
4/30/16	\$1,842,492	\$602,704	\$479,324	3.84	\$1,363,168	\$1,343,921
4/30/17	\$1,959,507	\$993,522	\$480,427	4.08	\$1,479,080	\$1,461,589
4/30/18	\$2,619,975	\$2,000,017	\$488,857	5.36	\$2,131,118	\$2,046,947
4/30/19	\$3,096,879	\$2,634,948	\$481,764	6.43	\$2,615,115	\$2,530,944
4/30/20	\$3,230,366	\$2,919,140	\$14,520	222.48	\$3,215,846	\$3,035,644
4/30/21	\$5,305,591	\$4,839,440	\$12,028	441.10	\$5,293,563	\$5,238,456
4/30/22	\$8,138,605	\$8,054,172	\$0	N/A	\$8,138,605	\$8,135,091

The general fund had no liabilities at the end of fiscal 2022. The general fund balance more than tripled from FY19 to FY22. Cash at the end of fiscal 2022 was sufficient to cover nearly 99% of the general fund balance. The percentage of unrestricted cash is important because to be available for appropriation the fund balance must be liquid, i.e., available in cash or investments that are easily converted to cash. As discussed in more detail below, the unreserved balance in FY22 includes assigned and unassigned funds.

### **General Fund Balance:**

One very important indicator of financial health is the level of fund balance. As mentioned earlier, the fund balance can be defined as assets minus liabilities. If the general fund is short of cash and/or equity, we could not assume that transfers could be made from other funds to correct the problem because there are usually restrictions on the use of assets of other funds. Even where the equity is sufficient, not all the fund balance is available for appropriation.

First, there are two subdivisions within the fund balance for any fund—reserved balance and unreserved balance. In theory, the reserved fund balance includes money that must be set aside for a specific purpose due



# Timelines

- 3-4 Months out
  - Meet up with your DVP to discuss:
    - Bargaining issues / topics
    - Comparables get up to date list
      - Do you have Comps established?
      - Any changes?
      - Where your local is in comparison to comparable communities



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# Total Compensation Analysis

**ASSOCIATED FIRE FIGHTERS OF ILLINOIS**

## Total Compensation Analysis for Rock Falls



Associated Fire Fighters of Illinois

## COLLECTIVE BARGAINING EXHIBIT

Prepared on 10/29/2020



### Top Base Wage Analysis for the Rank of Firefighter for 2020

Comparable Set	Starting Wages	Years to Top Base	Top Base Wages	Annual Hours *	Top Base Hourly Rate *
Danville	\$47,354	3.00	\$67,648	2,756.00	\$24.55
East Peoria Paramedic	\$42,456	6.00	\$81,722	2,760.00	\$29.61
Galesburg	\$49,977	4.00	\$60,719	2,756.00	\$22.03
Rock Island	\$52,615	5.00	\$67,151	2,750.00	\$24.42
Urbana	\$53,093	4.00	\$66,865	2,864.00	\$23.35
Average of Comp Set	\$49,099	4.40	\$68,821	2,777.20	\$24.79
<b>Pekin</b>	<b>\$49,590</b>	<b>2.00</b>	<b>\$71,080</b>	<b>2,736.00</b>	<b>\$25.98</b>
Relationship to the Average	0.99%	120.00%	3.18%	1.51%	4.58%
Rank Amongst the Comps	4 of 6	1 of 6	2 of 6	1 of 6	2 of 6





Associated Fire Fighters of Illinois

COLLECTIVE BARGAINING EXHIBIT

Prepared on 10/29/2020



## 2020 Analysis of Total Hours of Work for the Rank of Firefighter

Comparable Set	Annual Scheduled Hours *	Average Vacation Hours	Personal Convenience Hours	Average Holiday Hours Off	Net Annual Hours Worked
Danville	2,816.00	229.85	72.00		2,514.15
East Peoria Paramedic	2,760.00	198.46	0.00	0.00	2,561.54
Galesburg	2,756.00	306.15	0.00	0.00	2,449.85
Rock Island	2,750.00	233.60	48.00	0.00	2,468.40
Urbana	2,864.00	245.54	0.00	0.00	2,618.46
Average of Comp Set	2,789.20	242.72	24.00	0.00	2,522.48
<b>Pekin</b>	<b>2,736.00</b>	<b>219.69</b>	<b>0.00</b>	<b>0.00</b>	<b>2,516.31</b>
Relationship to the Average	1.94%	-10.48%			0.25%
Rank Amongst the Comps	1 of 6	5 of 6	3 of 6	1 of 5	4 of 6

# Never miss your filing deadlines!

- **Deadlines**

- Protect your right to bargain
- Ensure retroactivity
- Keep the employer from making changes during negotiations







# Demanding to Bargain

- Prepare to file a demand to bargain 90 days out
- Template available on AFFI website
  - <http://www.affi-iaff.org/index.cfm?Section=32&PageNum=242>
- Bring to designee of City / District
  - Have a copy for them
  - A copy for the your local signed & dated
- If the relationship isn't there to do in person, send a copy certified mail w/ return receipt to the employer.



## ARTICLE 28.1 TERM OF AGREEMENT

This Agreement shall be effective as of the 1<sup>st</sup> day of May, 2020 and shall remain in full force and effect until April 30, 2020. It shall be automatically renewed from year to year thereafter unless either party shall notify the other in writing at least sixty (60) days prior to the April 30, 2024 date that it desires to modify this Agreement. In the event that such notice is given, negotiations shall begin not later than thirty (30) days prior to such effective April 30, 2024 date. This Agreement shall remain in full force and be effective during the period of negotiations and until notice of termination of this Agreement is provided to the other party in the manner set forth in the following paragraph.

In the event that either party desires to terminate this Agreement, written notice must be given to the other party not less than (10) days prior to the desired termination which shall not be before April 30, 2024 as set forth in the preceding paragraph.



# Dekalb Firefighters Union Local 1236

Organized April 16, 1956

700 Pine St. Dekalb, Illinois 60115

## Demand to Bargain

Anne Marie Gaura  
City Manager  
City of DeKalb  
200 S. Fourth Street  
DeKalb, IL 60115

September 30<sup>th</sup>, 2018

Anne Marie,

Please accept this as a request to bargain over certain issues contained in the current Collective Bargaining Agreement between City of DeKalb and IAFF Local 1236, which expires on December 31<sup>st</sup>, 2018.

It is our hope that an initial negotiation meeting can be set up by October 15<sup>th</sup>, 2018 in order to reach an agreement prior to the expiration of our current agreement. We look forward to finalizing a negotiation date with City of DeKalb as soon as possible.

Yours truly,

*Luke Howieson*

Luke Howieson - President

DeKalb Fire Fighters Local 1236

700 Pine Street

DeKalb, IL 60115



# Timelines

- 30 Days prior to CBA Expiration
  - File for mediation
    - Preserve your rights under 14J & 14L
    - That really means **MONEY \$\$\$\$**
  - Send Letter to respective FMCS Office
  - This starts the arbitration process



## Request for Mediator

(To be sent to Federal Mediation and Conciliation Service. Please fill in appropriate areas, delete explanations and other comments before sending)

Lane Harstad  
Executive Manager, North Central District  
Federal Mediation and Conciliation Service (FMCS)  
Broadway Place West  
1300 Godward Street, Suite 3950  
Minneapolis, MN 55413  
612.331.6193 Direct Line  
612.910.6817 Mobile  
[lharsad@fmcs.gov](mailto:lharsad@fmcs.gov)

(Enter Date)

RE: (City/Village/Fire District Name)  
and (Union Name)  
-- (Enter Year) Contract Negotiations

Dear Sir:

Please be advised that the undersigned parties jointly request that you assign a Mediator to assist them in their current and/or pending negotiations.

\_\_\_\_\_  
(Union)

\_\_\_\_\_  
(Employer)

Phone Number: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_

Email: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Cc: Executive Director, ILRB



# Timelines

**At no time should you fail to file for mediation before the expiration of your employer's fiscal year. In most cases this will coincide with the expiration of your contract, in many locals this is not the case.**





# You're nearing Impasse, now what?

- Consult your DVP if you've been negotiating on your own
- It's time to bring in your attorney
- Poll your bargaining team to determine your "last best offer"



# Arbitration – The nuclear option





# Arbitration

- Arbitration is risky at best
  - It's extremely expensive
- You'll generally do better and be happier by reaching settlement without arbitrating





# Know your timelines!

- Knowing your timelines is one of the most important things you can do when preparing to negotiate!
- Missing timelines can hamper your ability to bargain or be awarded retroactive pay





# Involve your DVP



# The New Negotiator



**Thanks for attending  
session 1**