

ADVISORY COMMITTEE'S RECOMMENDATION

**Recommendation:** FAVORABLE ACTION on Article 2, Brookline Police Union for the full amount of the Arbitration Award by a vote of 23-1 with 0 abstentions

<p><b>Executive Summary:</b></p>	<p>Article 2 seeks to have Town Meeting approve the appropriation of the funds to pay for the Arbitration Award by the Joint Labor-Management Committee (JLMC) as a result of the Arbitration decision that sought to resolve collective bargaining difference between the Brookline Police Union and the Town of Brookline. Its primary purpose is to set the wage increases for FY21, FY22, and FY23. Those increases are FY21 2.5%; FY22 3% and FY23 3%. In addition, a “Certification Differential of 2% effective July 1, 2021 and 2% effective July 1, 2022 is to be added to all salaries. These increases exceed the Town’s goals for salary increases and are based on the Arbitration Panel’s finding that the Brookline Police salaries are below the averages of comparable communities.</p>
<p><b>Voting Yes will...</b></p>	<p>funds the salary increases and other payments included in the Arbitration Panel’s Award dated April 25, 2023.</p>
<p><b>Voting No will...</b></p>	<p>Send the Town of Brookline back to the negotiations with Brookline Police Union.</p>
<p><b>Financial impact</b></p>	<p>The total cost of this 3-year contract adjustment and extension is \$3,270,636.</p> <ul style="list-style-type: none"> <li>• Wages: 2.5% effective July 1, 2020, 3% July 1, 2021; 3% July 2022</li> <li>• A new “Certification Differential” of 2% effective July 1, 2021 and 2% effective July 1, 2022</li> <li>• The application of Education Incentive Compensation to all Non-Quinn Eligible Employees to bring them in line with Quinn Eligible Employees</li> <li>• The addition of the Town’s proposal regarding the implementation of a Body Worn Camera policy, entitled “2-9-22 BPD Body Camera Proposal” to the Collective Bargaining Agreement</li> </ul>
<p><b>Legal implications</b></p>	<p>None identified.</p>

## Introduction

This Article seeks to have Town Meeting fund a three-year extension of the Collective Bargaining Agreement between the Town of Brookline and Brookline Police Union as ordered by a Decision of the Joint Labor-Management Committee (JLMC) dated April 25, 2023.

## Cost Projections

ITEM	FY21	FY22	FY23	FY24	TOTAL
7/1/2020 - 2.5 %	312,653	312,653	312,653		937,960
7/1/2021 - 3%		384,564	384,564		769,127
7/1/2022 - 3%			396,101		396,101
Post certification 2%		264,067	264,067		528,134
Post certification 2%			277,270		277,270
Quinn 1/1/23 ees			180,030		180,030
10 year step				182,013	182,013
					0
<b>TOTAL ROLL-OUT COSTS OF 3-YEAR PERIOD</b>	<b>312,653</b>	<b>961,284</b>	<b>1,814,685</b>	<b>182,013</b>	<b>3,270,636</b>
Each 1% =	125,061	128,188	132,034	135,995	
New Wages - \$ =	312,653	648,631	853,401	182,013	
New Wages - % =	2.5%	5.1%	6.5%	1.3%	15.4%

## Discussion

The Town of Brookline and the Brookline Police Union, after extensive good-faith negotiations, were unable to reach an agreement on the extension of the Collective Bargaining Agreement that expired in 2020 and therefore agreed to arbitration before the Joint Labor-Management Committee for Municipal Police and Fire. The three-member arbitration Panel issued its decision on April 25, 2023. The Arbitration Panel's award ordered base salary increases of 2.5% effective July 1, 2020, 3% July 1, 2021; 3% July 2022.

In addition, the Arbitration Panel ordered a new "Certification Differential" of 2% effective July 1, 2021 and 2% effective July 1, 2022. The Certification Differential was requested by the Police Union to compensate Police Officers for what the Union characterized as significant new obligations imposed on the officers by the Police Reform Act of 2020 (Chapter 253 of the Acts of 2020). These new obligations require that before a person can be hired as a police officer they be certified by the State as eligible for employment as a police officer, and that they maintain that eligibility through continuing education and training. The Town of Brookline pays for the training and compensates officers for the time taken to obtain the necessary training. The Select Board, in agreement with the Dissenting Opinion of one of the Arbitration Panel Members, believes that the "Certification Differential" Award exceeded the authority of the Arbitration Panel and is appealing that part of the Order. Therefore, the Select Board did not include that amount of the Certification Differential in their recommendation under Warrant Article 2, leaving the total requested by the Select Board at \$2,465,232 in order to fund the Police Union Contract. The Advisory Committee, after extensive discussion, understood the Select Board position, but felt that our Police Officers were under-paid relative to comparable communities, and the inclusion of the "Certification Differential" would bring the Police Officers pay up to

parity with comparable communities and so the Advisory Committee supported the full funding of the Order at \$3,270,636.

**Recommendation**

The Advisory Committee recommends favorable action on the full amount of the arbitration award (\$3,270,636) by a vote of 23-1 with 0 abstentions. ***MELISSA TO INSERT ACTUAL LANGUAGE OF MOTION.***

Article Description	Collective Bargaining Agreement - Police
<b>AC recommendation (Favorable Action unless indicated)</b>	<b>23-1-0</b>
Ben Birnbaum	Y
Harry Bohrs	Y
Cliff Brown	Y
Patty Correa	Y
John Doggett	Y
Katherine Florio	Y
Harry Friedman	N
David-Marc Goldstein	Y
Neil Gordon	Y
Susan Granoff	Y
Kelly Hardebeck	Y
Amy Hummel	Y
Anita Johnson	Y
Alisa Jonas	
Janice Kahn	Y
Pam Lodish	Y
Joslin Murphy	
Donelle O'Neal, Sr.	Y
Linda Olson Pehlke	Y
Markus Penzel	Y
David Pollak	Y
Stephen Reeders	Y
Carlos Ridruejo	Y
Lee Selwyn	Y
Alok Somani	
Carolyn Thall	Y
Christine Westphal	Y
Dennis Doughty *	
* Chairperson does not vote except to break a tie	

ARTICLE 2 ADVISORY COMMITTEE VOTES - Police