



TOWN OF FREEPORT, MAINE

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ITEM #04-23 FPBA COLLECTIVE
BARGAINING AGREEMENT

MEMORANDUM

TO: Freeport Town Council
FROM: Peter Joseph, Town Manager
DATE: 12/29/22
RE: Proposed Amendments to Freeport Police Benevolent Association (FPBA) Collective Bargaining Agreement

In the late fall of this year, the FPBA and Management met as the Labor/Management Committee to discuss concerns about pay rate increases in competing nearby departments. As you are all aware, the market for qualified officers in the State of Maine has been extremely competitive for several years now. Previously, hiring processes for police officer positions would be extremely competitive and have generated dozens of applicants and 5-10 well qualified potential hires, of which the Police Department could choose the candidate that best fit with the department's needs. Today, we are lucky if a hiring process generates 5 applicants and 1 or 2 well qualified candidates. Often, the most qualified candidates are also competing for positions in other departments, who are facing the same lack of applicants, and slight differences in pay and benefit levels can mean the difference between landing a single qualified candidate, or coming up empty on a recruitment process.

An additional downside of this highly competitive job market is that nearby departments with higher rates of pay have a definitive advantage when recruiting for openings and are able to attract qualified Freeport officers to vacant positions in those communities. Recruiting to fill these types of vacancies is a "double whammy" where we are once again competing in this brutally competitive job market.

An analysis of our 16 comparative communities (attached) shows that while we are statistically close to average for pay, a number of recently negotiated agreements in nearby Towns have resulted in a trend of some of our peer departments creating a higher pay tier, which we frankly are not competitive in (see attachment A, comparison of current pay scale). After carefully reviewing the employment situation in the region and the high stakes of the current competitive job market, both the Bargaining Unit and Management are of the opinion that the pay schedule in the current Collective Bargaining Agreement (effective 07/01//21) does not leave us in a competitive position in the current job market.

As a result, Management negotiated with the FPBA a series of pay adjustments over the next 2 years to address these concerns. The most significant would be a pay step effective 01/01/23, which would adjust the bottom end of the pay scale by 6% and the top end of the pay scale by 5%. The result of that adjustment is shown as the second attached graph to this memo. An additional adjustment of 2% would occur on 01/01/24.

The existing language for cost of living adjustments is also proposed for change to measurement by the Consumer Price Index, instead of comparing to our nearby communities, as this measure has not been a reliable measure of inflation over the past few years.

It is estimated that these changes, if agreed to, would cost the Town approximately \$17,000 in the current fiscal year. In return for these adjustments, the FPBA has agreed to extend the current agreement by an additional year, which means that the agreement would now expire on 07/01/2025 instead of 07/01/2024.

Attached to this memo you will find:

- 1) Proposed amendment language to the 07/01/21 Collective Bargaining Agreement
- 2) Current pay analysis of comparable communities
- 3) Proposed pay scale analysis of comparable communities

Proposed amendments to sections 4 and 33 and Appendix C of the Collective Bargaining Agreement between the Town of Freeport and the Freeport Police Benevolent Association, dated July 1, 2021. Additions are shown in underline, deletions are show in strikethrough.

4. WAGES

Effective July 1, 2021, all members of the bargaining unit shall be placed on the Pay Scale Plan (attached to this contract as Appendix A)

For the purposes of this Contract year 1 of employment shall run from hire to the first anniversary of hire; year 2 shall run from first anniversary of hire to second anniversary of hire, and so on.

Effective January 1, 2023, all members of the bargaining unit shall be placed on the Pay Scale Plan attached to this contract as Appendix C.

Effective January 1, 2024, all steps on the the Pay Scale Plan (Appendix C) will be increased by 2%.

On 07/01/22 ~~and 07/01/23~~ the bargaining unit shall receive a cost of living increase based on the average pay increase of the Comparison Towns listed below for Fiscal Year '23 ~~and Fiscal Year '24, respectively~~. The bargaining unit will not receive a cost of living adjustment on 07/01/21 for Fiscal Year '22.

On 07/01/23 and 07/01/24, the bargaining unit shall receive a cost of living increase based on the change in the US Consumer Price Index (Northeast Urban) over the preceding 12 months, measured in February of 2023 and 2024, respectively. The cost of living increase shall be a minimum of 3% increase and a maximum of 6% increase in each year, respectively.

Advancement on steps shall occur on anniversary dates based on an average or better evaluation. The evaluation forms and criteria shall be jointly developed by the Labor Management Committee. Bargaining unit members shall be eligible for advancement as of July 1, 2021.

Non-certified new hires shall be placed the “non-certified” step at Year 1; after the completion of one year of employment, if they are still not certified by the MCJA, they shall move to “non-certified”, Year 2 step. Once they are certified by the MCJA they shall move to the “officer” step of the corresponding year.

Yearly cost of living adjustments for Fiscal Year 2023 shall be calculated in accordance with the terms of the Town Position Classification and Pay Scale Plan. The Town Position Classification bases its pay comparisons on the following towns for patrol: Auburn, Bath, Brunswick, Cape Elizabeth, Cumberland, Cumberland County, Falmouth, Gorham, Portland, Scarborough, South Portland, Topsham, Westbrook, Windham, Yarmouth and York.

33. DURATION OF AGREEMENT

This Agreement incorporates the entire understanding of parties on all matters, which were or could have been the subject of collective negotiations during the terms of this Agreement. Said Agreement shall go into effect on July 1, 2021 and shall continue in full force and effect until June 30, 20~~21~~²⁴.

The undersigned, acting on behalf of the Town of Freeport and the F.P.B.A. do this 1st day of July, 2021 enact the terms set forth in this Agreement.

APPENDIX C

Town of Freeport Pay Scale FY 2023 Police Union, effective 07/01/22

3.89%	<u>YR 1</u>	<u>YR 2</u>	<u>YR 3</u>	<u>YR 4</u>	<u>YR 5</u>	<u>YR 10</u>	<u>YR 15</u>	<u>YR 20</u>
Non-Certified	50,707	51,815	-	-	-	-	-	-
Officer	52,924	55,139	57,355	59,570	61,786	64,556	66,771	67,880
Detective	55,363	57,800	60,238	62,896	65,112	68,158	70,596	71,815

Town of Freeport Pay Scale 2nd Half FY 2023 Police Union, effective 01/01/2023

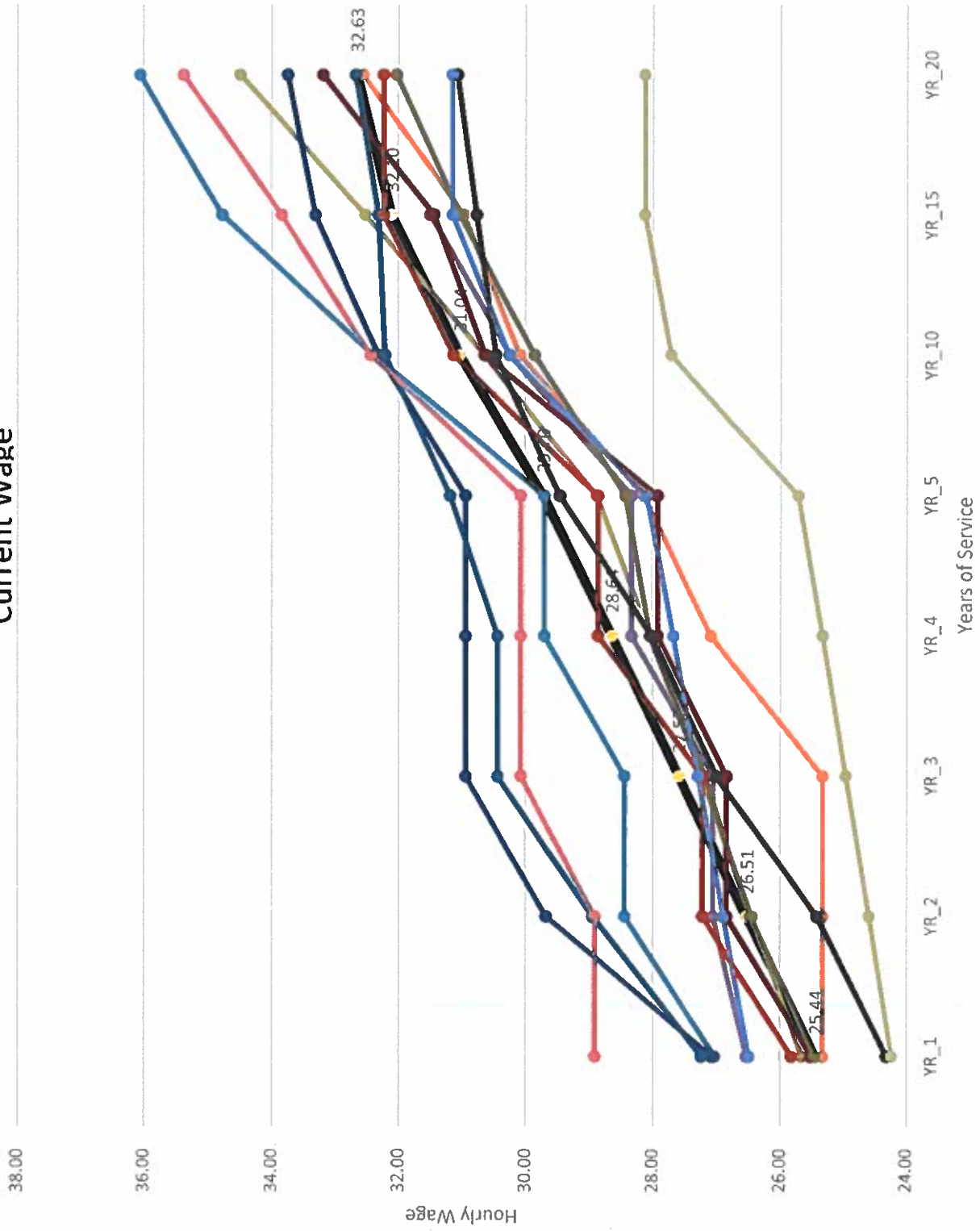
From 5% to 6.00%	<u>YR 1</u>	<u>YR 2</u>	<u>YR 3</u>	<u>YR 4</u>	<u>YR 5</u>	<u>YR 10</u>	<u>YR 15</u>	<u>YR 20</u>
Non-Certified	53,750	54,850	-	-	-	-	-	-
Officer	56,099	58,368	60,632	62,889	65,140	67,968	70,205	71,274
Detective	58,685	61,186	63,680	66,400	68,647	71,761	74,226	75,406

Pay Scale Authorized by Council Adoption on January 3, 2023

Rates Effective as of January 1, 2023.
Ending Rate of Pay.

Town Manager _____ Date _____

Union Pay Scale Analysis Current Wage



Union Pay Scale Analysis Proposed Wage Schedule - 01/01/23

