

# HOUSTON FIRE DEPARTMENT TEXAS 88<sup>TH</sup> LEGISLATIVE SESSION SB736

Samuel Peña, Houston Fire Chief

April 4, 2023

## **SB736**



## • Sec. 174.1535. MANDATORY ARBITRATION. (a) This section applies only to:

- (1) a fire department that serves a municipality with a population of 1.9 million or more; and
- (2) an association that is a bargaining agent for the employees of a fire department described by Subdivision (1).
- (b) A public employer and an association that is a bargaining agent shall submit to binding interest arbitration if the parties:
  - (1) reach an impasse in collective bargaining; or
  - (2) are unable to settle after the 61st day after the date the appropriate lawmaking body fails to approve a contract reached through collective bargaining.
- This legislation allows for an impasse between firefighters and the city to be resolved for at least a one-year period by a panel of three arbitrators.

  The firefighters would be able to appoint one and the City of Houston appoints one. The third is a neutral party chosen in agreement between the firefighters and the city.
- Explicit standards to be used by the arbitrators in making a determination are not included in the text of the bill.

## **Arbitration Standards**



## Austin and San Antonio Voters approved Compulsory Binding Arbitration following Impasse in Collective Bargaining

### City of Austin

...In making its decision, the Board (Arbiters) may consider only the following:

- The history of collective bargaining agreements and negotiations between the parties;
- Compensation and conditions of employment that prevail in comparable public sector employment in other cities;
- 3. The rate of increase or decrease in the cost of living for the Austin area as determined by the Consumer Price Index, adjusted as necessary to account for housing and tax costs in the Austin area and other relevant local factors;
- 4. Revenues Available to and contractual obligations of the City and the impact of any arbitration ruling on the taxpayers of the City; and
- 5. Any of the following conditions:

Hazards of employment; Physical Qualifications; Educational Qualifications; Mental Qualifications; Job Training; Skills; Employee Morale; Any other factors the Board determines to be relevant to the issues raised by the parties

...In making its decision, the Board (Arbiters) may consider only the following:

 Compensation and conditions of employment that prevail in comparable public sector employment in other cities;

City of San Antonio

- 2. The rate of increase or decrease in the cost of living for the San Antonio area as determined by the Consumer Price Index;
- 3. Revenues available to the City and the impact of any arbitration ruling on the taxpayers of the City
- 4. Any of the following conditions:

Hazard of employment; Physical Qualifications; Educational Qualifications; Mental Qualifications; Job Training; Skills; Any other factors the Board determines to be relevant to the issues raised by the parties; and

## **CBA** Timeline



June 23, 2014

Membership Rejected CBA Proposal of 4% pay increase effective Jan 1, 2015. Impasse Declared May 5, 2015

Negotiations Resume. No Agreement. Only to Evergreen to December 31, 2016 March 14, 2017

CBA Negotiations Resume. 60 day timeline May 12, 2017

City requests extending negotiations by 15 days according to statute. No Response from L-341 May 15, 2017

**Impasse Declared** and Arbitration Requested by L341

May 19, 2017

City rejects Arbitration and requests extension to continue negotiations.

June 22, 2017

Parties agree to mediation.

Impasse

June 28, 2017

**Declared** 

June 30, 2017

CBA between COH and L-341 Expires

L-341 Files Impasse Lawsuit in District Court. City asserts affirmative defense

2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023

March 7, 2018

City invited L-341 to discuss scheduling dates for collective bargaining after receiving request to bargain from L341. No response

October 22, 2018

District Court hears
parties cross-motions for
summary judgement on
Impasse Lawsuit. Granted
joint motion for
interlocutory appeal of
court's denial of summary
judgement for the City

November 6, 2018

Proposition B on the Ballot

**November 2018** 

Proposition B Lawsuit

**April 18, 2019** 

Court Ordered Mediation on Prop B

April 22-23, 2019

Court Ordered Mediation 2<sup>nd</sup> & 3<sup>rd</sup> Session **April 29, 2019** 

Court Ordered Prop B Mediation. Impasse Declared by Mediator March 4, 2019

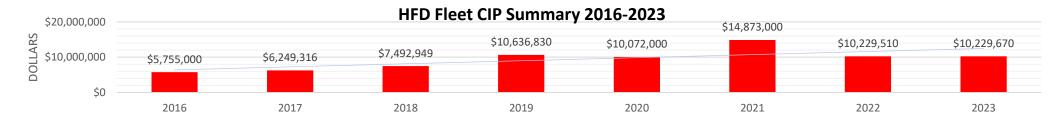
City invited L-341 to discuss scheduling dates for collective bargaining after receiving request to bargain from L341. No response

Nov 29, 2022

TX Supreme
Court hears oral
arguments on
Proposition B,
and Impasse
Lawsuits.

## Fleet Cost Escalations





Apparatus	2017	2018	2019	2020	2021	2022	2023	Totals	Replacement %
Fire Engines (88)	4	4	10	8	9	6	5	46	52%
Aerials (38)	3	2	3	3	3	2	2	18	47%
Ambulance (103)	0	9	18	8	15	0	6	56	54%
Life Safety Bureau, Training Academy, OEC – Lease Vehicle Program								78%	

Apparatus	Unit Cost FY2020	Unit Cost FY2021	Unit Cost FY2022	Unit Cost FY2023	Unit Cost FY2024	% Escalation since FY2020
Fire Engines (88)	\$522,000	\$640,888	\$661,260	\$748,913	\$898,695	43%
Aerials (38)	\$947,000	\$1,179,122	\$1,236,000	\$1,400,388	\$1,680,465	48%
Ambulance (103)	\$175,000	\$214,485	\$227,970	\$283,354	\$340,025	62%
Truck, P/U Crew (50)	\$95,000	\$95,180	\$97,850	\$121,728	\$146,073	29%

## **HFD Investments**



Program Investment 2017-2023	Estimated
18% Total Pay Raise (over 3yrs. FY22 – FY24)	~\$63 Million
NFPA 1582 Compliant Medical Physicals and Cancer Screening for all HFD firefighters	~\$2 Million
Plymovent Vehicle Exhaust System Installation @ HFD Fire Stations – 100% funded	~\$7.5 Million
Extractor Commercial Gear Washers @ all HFD Facilities – 100% funded	~\$1.2 Million
2 <sup>nd</sup> Set of Firefighting PPE – Strategic Purchase Plan	~\$8 Million
HFD Health and Safety Chief Position Created	~\$155,000
Half-Mask Respirators for all Emergency Operations, Arson, LSB Personnel	~\$400,000
Ballistic Helmets/Vests @ all riding positions	~\$1 Million
Replaced SDI Fireground Accountability System	~\$800,000
Over 50% Fleet Vehicle Replacement in 6 years	~\$63 Million
Added New HazMat Unit and 5 Peak-Time Ambulances to the response system	~\$3.3 Million/Yr.
CFAI Accredited Agency Designation – Commission on Fire Accreditation International	
Insurance Services Office Public Protection Classification 1 – ISO Class 1 Designation	

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# Questions?

# **HFD Staffing Summary**



- Current staffing is ~273 FF below optimal level
  - Optimal = **3,931** personnel
  - Current = 3,658 personnel
- FY18 and FY20: Higher than normal attrition
- FY19-20: Prop B forced cancellation of 4 academy classes
  - Missed recruitment target by ~180 FF
  - 18 months between academy classes
- Mayor Approved 4 Academy classes in FY21 & 5 Academy Classes in FY22, FY23, Requested in FY24
  - 350 Recruits per year (100 above normal attrition)
  - \$5,000 Cadet Incentive Pay

