

**LABOR AGREEMENT
BETWEEN THE
NISKAYUNA FIRE DISTRICT No.1
BOARD OF FIRE COMMISSIONERS
AND
THE NISKAYUNA PERMANENT
FIREFIGHTERS ASSOCIATION
IAFF Local 4151**

January 1, 2017-December 31, 2020

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A. Purpose and Intent:

The general purpose of this agreement is to set forth terms and conditions of employment, provide for the orderly resolution of disputes between the Niskayuna Permanent Firefighters Association IAFF Local 4151 and the Board of Fire Commissioners, all in accordance with the intent and language of the Public Employees Fair Employment Act of 1967 as legislatively amended and judicially interpreted.

The Niskayuna Permanent Firefighters Association IAFF Local 4151 and Board of Fire Commissioners recognize and declare that the best interest of the community in terms of its general fire safety is paramount so there shall be no interruption of essential service to the public in the course of the resolution of any disagreements and disputes that may arise between the parties.

B. Recognition

The Board of Fire Commissioners recognizes the Niskayuna Permanent Firefighters Association IAFF Local 4151(NPFA) as the sole and exclusive representative of the Career Division employees of Niskayuna Fire District No. 1 as described herein: Firefighters, Lieutenants, and Captains. The NPFA recognizes the Board of Fire Commissioners as having jurisdiction over Niskayuna Fire District No. 1 as is consistent with the laws of New York State.

C. Introduction

1. Benefits and Compensation

This document presents the benefits/compensation programs for the employees of the Career Division.

2. Entry Requirements

Candidates for employment must meet basic civil service requirements. They must hold either a high school diploma or equivalent and be able to pass a medical exam to criteria approved by the Board of Fire Commissioners.

That criteria includes but is not limited to passing specified hearing, eyesight and drug tests.

Candidates must possess a valid NYS driver's license, complete a civil service application for employment, and pass a civil service test. Conviction of arson in any degree shall be an automatic disqualification from employment at Niskayuna Fire District No.1.

The Board of Fire Commissioners appoints career division employees under Civil Service Law. They must be NYS certified paramedics according to State Department of Health Part 800, chapter VI of the New York State Emergency Medical Service Code. The Board may give preference in hiring to residents of the Town of Niskayuna. Other civil service requirements may also apply.

New employees must complete probationary firefighter training and complete a probationary period of up to 52 weeks (per Schenectady County Civil Service Rules).

3. Fire District No.1 Rules and Regulations

Career division employees are expected to abide by current District No.1 Rules and Regulations. All employees report to the Chief – Career Division for scheduling of activities and day-to-day work assignments. Employees shall discuss with the Career Chief any needed changes as well as disputes.

4. Standard Operating Procedures and Running Orders.

Binders containing the district’s standard operating procedures and running orders are maintained in the Chief’s office as well as at the control consoles in both stations. From time to time, the Chief – Career Division may prepare new procedures or update existing procedures. All employees are expected to know and follow these directives.

D. Compensation

The purpose of this section is to explain Niskayuna Fire District #1’s current compensation rate structure, the step progression system, the salary adders that are available to employees, the department’s policies on overtime and uniform allowances.

1. Compensation Rates

Compensation rates are established for the following job titles:

Starting Firefighter/Paramedic

First Grade Firefighter/Paramedic

Lieutenant/Paramedic

Captain/Paramedic

The negotiated pay rates for the contract period of 1/1/2017 through 12/31/2020 are as follows:

	2017	2018	2019	2020
	<u>2.50%</u>	<u>2.50%</u>	<u>2.50%</u>	<u>2.50%</u>
starting pay	\$46,212	\$47,367	\$48,551	\$49,765
year 2			\$53,786	\$55,131
year 3				\$60,497
year 4				\$65,863
year 5	\$71,015			\$71,229
year 6	\$73,562	\$75,401		\$76,594
1st grade FF	\$76,108	\$78,011	\$79,961	\$81,960
Lt	\$79,875	\$81,872	\$83,919	\$86,017
Capt	\$84,637	\$86,753	\$88,922	\$91,145

Note: 2.5% increase applies to starting pay, 1st Grade firefighter, Lieutenant and Captain Steps.

Step Progression: First step is applied the January 1st after completion of the 1st year of service. All following step progressions will occur each following January 1st thereafter.

2. Work Schedules

The 28-day work period is the official time period the District uses in determining pay schedules. All career employees work an average of 40 hours per week on schedules that are established by the Chief-Career Division and provided to each employee by November 15 for the following year. All employees work 24-hour shifts except for the Chief – Career Division and one Firefighter/Paramedic who work a daytime shift Monday through Fridays, which shall be established by the Chief – Career Division.

Overtime is paid at a rate of 1 and ½ times the normal hourly rate for all hours above regularly scheduled hours. (Regularly scheduled hours average 40 hours per week.)

Should a Firefighter/Paramedic discontinue his or her employment within the first 3 years after successful completion of the Basic Firefighters Training Program, he or she is responsible to reimburse the District for training costs according to the following schedule: (Tuition, room and board is considered training costs for the purposes of this section.)

If employment ends during their 1st year – 70% of training costs

If employment ends during their 2nd year – 40% of training costs

If employment ends during their 3rd year – 20% of training costs

After three continuous years of service, there is no required re-imburement of training costs.

3. Salary Adders

This section addresses additional compensation above base pay rates.

Paramedic Re-certification Stipend: The paramedic re-certification is currently required every three years. However, all Career Firefighter/Paramedics are paid a stipend of \$3,200 annually, to be paid in the final paycheck each June. This stipend is in lieu of overtime pay for the hours spent on Continuing Education required to maintain certification with New York State.

College Degree Adder: Employees who have successfully completed an Associate's or Bachelor's Degree in fire protection, emergency medical services, emergency management, or other Fire/EMS related field shall receive additional compensation of \$500.00 per year in addition to their base salary.

Experience Differential. Employees shall be compensated \$ 1,400 per year after 10 years of service, which increases to \$1,900 per year after 15 years of service, and \$2,400 after 20 years. These are not intended to be cumulative. The pay differential shall be applied to the member's base salary; therefore, will be paid evenly throughout the year.

Ie: 10-15yrs = \$1400
16-20 yrs. = \$1900
21 years and beyond capped @ \$2400

4. Overtime

As of March 1986, federal wage and hours laws prohibit Career Firefighter/Paramedics from volunteering their services at drills or emergency calls in this Fire District without compensation. Career employees who participate at emergencies or approved training will be compensated for their time.

Overtime is paid for hours worked above regularly scheduled hours at the rate of time and a half of the base pay. Overtime hours must be submitted by voucher to the Chief-Career Division.

5. EMS Instructor Certifications –Employees completing certification as Course Instructor Coordinators, Certified Lab Instructors, ACLS Instructors, CPR Instructors, or other instructional certifications deemed necessary by the Chief-Career Division shall be compensated for the hours required to obtain and maintain current certification status.

6. Uniform Allowance

At the time of appointment, a new employee is furnished a dress uniform blouse, pants, dress hat, tie, dress shirt, six pairs of socks, one pair of shoes, four sets of work uniforms with appropriate badges and insignias. Each year, employees receive a uniform allowance credit of \$350 to replace worn, damaged or destroyed uniforms and athletic gear components. The Chief – Career Division tracks the usage of this allowance credit.

7. Call Backs

Call back time of 2 hours will be paid at the employee's overtime rate, but if not needed for the full 2 hours, they will remain on-call for the remainder of this two-hour window. If recalled within this time frame, they will return and be compensated for actual time worked beyond this initial two-hour minimum.

E. Insurance

Niskayuna Fire District No.1 provides medical and life insurance coverage to the Career Division employees. This section addresses the coverage provided to current Career employees as well as retirees. The present insurance program has three parts: medical, life, and workers compensation benefits.

1. Medical Insurance

Niskayuna Fire District No.1 provides all current employees and retirees' family coverage for hospital, medical-surgical, extended medical benefits, prescription drugs, vision and for dependent students. All employees **hired before 1/1/2009** shall contribute to their medical Insurance coverage according to the chart below. Documentation detailing current coverage and exclusions shall be provided to employees as they are received from the insurance companies. Employees are responsible for all co-pays.

Medical Insurance Contributions

Year of Employment	Percentage of Medical Ins. Premiums	Max Contribution
1 st year	30%	30%
2 nd year	27%	27%
3 rd year	24%	24%
4 th year	21%	21%
5 th year	18%	18%
6 th year	15%	15%
7 th year	12%	12%
8 th year until retirement	10%	\$1750 (family plan)**

**Maximum annual contribution for two-person plan shall be \$1150, and individual plan shall be \$600.

Niskayuna Fire District No. 1 provides and will maintain the CDPHP plan EPO EA2S11.

Should additional plans be offered in the future, employees retain the right to opt into another offered plan at no additional cost to the District above and beyond the cost of the CDPHP. In the event of significant changes in the Plan or premium, the Board agrees to provide a Plan that is equivalent in coverage and benefits.

Employees **hired after 1/1/2009** shall contribute 20% of health care premiums and continue to contribute to health care costs in retirement at a rate equal to that which he/she contributed immediately prior to their retirement date. All employees hired before 1/1/2009 are exempt and are not required to contribute to health care in retirement.

The Fire District maintains a Section 125 Flexible Spending Account for all employees.

Any unused money from the members' flexible spending accounts will be used to improve the overall health and/or safety of the membership. For example: exercise equipment, nutritional counseling, safety equipment, etc. The Health/Safety Committee shall determine appropriate expenditures of said funds.

The District shall provide retirees with 20 years or more of service with medical and dental insurance coverage, which is equivalent to the retiree's benefits at the time of their retirement.

This remains in effect for the employees or retiree's lifetime. At age 65, the District shall provide a Medicare supplement plan with equal coverage to the health plan provided to the employee prior to age 65.

Any retiree, who is provided health care, by the District, may opt out until age 65 and receive a payment (at the end of each year) equal to 25% of the District's premium cost saved.

The district reserves the right to re-open the contract (for health care only) should the cost of insurance premiums exceed 45% (cumulative) from the 2017 year premium costs at year end.

2. Dental Insurance

Niskayuna Fire District No.1 provides Blue Cross/Blue Shield, a Matrix Four Dental Program to each employee, retiree and his or her family, including students up to age 25.

3. Life Insurance

Life insurance coverage for a Career Division employee is provided in two different ways at no cost to the employee.

The NYS Retirement System compensates the beneficiaries of a firefighter who loses his or her life while performing assigned duties. More information is available through the NYS Police/Firefighters Retirement System. The periodic payments into this System which Fire District No.1 makes for pension purposes provide the insurance coverage.

In addition, a \$10,000 life insurance policy is in force on each Career Division employee. This is a group policy that covers employees with premiums paid by Niskayuna Fire District No.1. The employee designates the beneficiary of this policy.

4. Workers Compensation

All employees are covered by Workers' Compensation insurance to insure loss of wages and cost for medical treatments incurred for injuries or illnesses that are job related. See section F part 4, for more information on this benefit.

F. Time Off

1. Vacations

All Career personnel are entitled to annual paid vacation days after one year of service. These days are earned during each year of service to be utilized the following year. The vacation days are allotted as follows:

After 1 year of employment	(2)24 hour shifts or (6)8 hour day shifts
After 2 years of employment	(4)24 hour days or (12)8 hour day shifts
After 3 years of employment	(6) 24 hour shifts or (18)8 hour day shifts
After 4 years of employment	(8) 24 hour shifts or (24) 8 hour day shifts

Officers are entitled to one additional 24-hour vacation day per year.

Vacation days must be taken in the current calendar year, between January 1 and December 31 and cannot be banked or carried over into other years.

The Chief-Career Division administers the scheduling of vacation days.

2. Holidays

Annually (in January) all NPFA members shall be paid Holiday Pay equal to 80 hours of their normal hourly rate in a separate check.

The day-shift firefighter who works a 5 day work week, Monday through Friday has the following days off as paid holidays:

1. New Year's Day
2. Presidents' Day
3. Memorial Day
4. Independence Day
5. Labor Day
6. Election Day
7. Thanksgiving Day
8. Day after Thanksgiving
9. Christmas Eve
10. Christmas Day

Holidays will be granted taking into consideration the legally recognized day of observance for the holiday.

3. Sick Leave

When a member of the Career Division requires sick leave, he or she is permitted a maximum of three 24-hour days in a twelve month period. This twelve-month period will begin on the individual's 1st illness absence day. Usage of these sick days does not require any documentation from a doctor.

In the event of an extended illness under a doctor's care, the Board of Fire Commissioners may grant additional sick leave. The degree of illness may first be evaluated and reported by the patient's physician along with an estimate of how long the employee will be absent. The Board will weigh this seniority, dedication to duty, prior illness absence record, and past practices in arriving at a decision.

While on sick leave, members of the Career Division are expected to keep in contact with the Shift Officer or Chief-Career Division. When reporting back for active duty, the individual will submit a doctor's statement to the Chief-Career Division that he or she is qualified to resume active firefighting duty.

4. Sick Leave Caused By Job-Related Injury or Sickness

When a job-related injury or illness causes a member of the Career Division to require sick leave, the Board of Commissioners may require an independent medical exam. In these cases, a report will be provided to the Chief-Career Division. The Chief-Career Division will see that the proper Workers Compensation insurance and other NY State forms are filled out and submitted.

Since expenses incurred as a result of job-related injuries and illnesses are covered by Workers Compensation benefits and General Municipal Law benefits, any benefit payments will accrue to the Fire District for any amounts up to the amount of salary which the Board of Fire Commissioners has approved salary continuance. Determination of eligibility for General Municipal Law Section 207-a benefits will be made according to the General Municipal Law Section 207-a Procedure agreed to by the parties, which is memorialized in a separate document.

5. Time off for a Death in the Family

Members of the Career Division are entitled to five calendar days bereavement leave, with full pay, in case of the death of wife, husband, child, father, mother, siblings, father-in-law, mother-in-law, or grandparents.

6. Personal Leave

Members of the Career Division are allowed up to 36 hours per year of personal leave to be taken in not less than two-hour increments. Employees shall notify the Duty Officer at time of request of the need for personal time coverage. The Duty Officer will grant the personal time request once appropriate staffing coverage is arranged. If coverage is not available, personal leave may not be granted. Any unused time shall be paid out to the members as straight-time during the last pay period of each calendar year.

7. Compensatory Time Off

In lieu of overtime compensation, employees may bank actual overtime hours worked on an hour for hour basis as compensatory time off. Compensatory time off may be taken at the employee's convenience, pending the arrangement of appropriate staffing coverage by the duty officer. Upon employee request, compensatory time banked will be paid out to the employee at the employee's overtime rate, at which it was earned. Compensatory time banked (in excess of 48 hours) and not used or scheduled by December 1st of the current calendar year will be paid out to the employee at the employee's overtime rate. Employees will have the option of carrying over to the next calendar year, a maximum of 48 hours. Any overtime hours turned in for pay will be paid at the hourly rate applicable at the time the hours were worked.

Total compensatory time carried over into the next calendar year shall not exceed 48 hours per year and is non-cumulative.

8. Hour Reduction Days

Each member of the Career Division is entitled to four 24-hour days off per year in lieu of lunch and dinner breaks. These hour reduction days are to be scheduled at the time each employee files his or her vacation days for the coming year and utilized within the same calendar year. Usage of these hour reduction days requires that other employees be utilized to fill these vacancies. The firefighters covering for hour reduction days will be paid at the normal overtime rate.

If an employee notifies the Chief that he or she does not wish to utilize his or her hour reduction days, the employee will be compensated for those days at their straight time rate for those four 24-hour shifts. Hour reduction days cannot be banked or carried over into the next year. Unused hour reduction days are cancelled.

G. Physical Fitness

1. Exercise Facilities and Equipment

Niskayuna Fire District No.1 provides fitness opportunities to members of its Career Division. All NPFA members are required to participate in a physical fitness program.

2. Athletic Gear

Career personnel are supplied with sweat suits and t-shirts. They are also provided with athletic footwear. All employees are required to have an annual physical examination.

3. Periodic Medical Evaluations

Members of the Career Division are required to have a yearly medical evaluation to comply with OSHA standards. This will be done at the expense of Fire District No.1 at a facility approved by the Board of Commissioners and scheduled by the Chief-Career Division.

H. Tuition Reimbursement

1. College Degree Programs

Schenectady Community College's two-year Fire Protection degree program is available to Career Division personnel. The Fire District will provide overtime coverage to allow on-duty personnel to attend New York State and local college fire and paramedic courses. This overtime cannot exceed four hours on any duty shift, and coverage will only be provided for one person per shift.

For career personnel already possessing a college degree or college credits other than the Schenectady Community College's two-year Fire Protection degree program reimbursed by the Fire District, enrollment in the Empire State Center for Distance Learning is an option. The Fire District will provide reimbursement for the first 64 credit hours taken through the Center for Distance Learning in the pursuit of a Fire Science or Emergency Services degree.

An annual fund of \$1,500 is available to pay for courses beyond the degrees noted above. Each career firefighter is offered a yearly increment of two 4-hour courses of study in order of rank, followed by seniority.

The Fire District reimburses educational costs as described above under the following conditions: One hundred percent of the cost is reimbursed for a course with a grade of B or higher; fifty percent for a C (below C, No reimbursement).

2. Paramedic Recertification

All Fire District No.1 career personnel must be certified NYS Paramedics at the time of appointment and maintain certification as a condition of employment. Niskayuna Fire District No.1 provides a \$3,200 per year stipend to every Firefighter. This stipend is in lieu of hourly overtime pay for the classes and testing required by New York State and REMO to maintain Paramedic Certification.

Should a Paramedic fail to recertify, two consecutive recertification courses will be allowed following expiration of current certification. Additional courses may be granted at the discretion of the Board of Fire Commissioners. New York State requires re-certification every three years.

3. Other Educational Payments

Occasionally career division members are asked or required to attend school or take courses outside the capitol region. An example would be attendance at the NYS Fire Academy in Montour Falls. With prior Board approval, the District pays all necessary tuition, room and board costs. If a District vehicle cannot be made available for travel, use of a personal vehicle will be reimbursed at the current federal rate per mile.

I. Retirement, Death & Disability Benefits

Every member of the Career Division is enrolled in the New York State Police and Fire Retirement System. Every member under NYS Law is also entitled to certain Accidental, ordinary and performance of Duty Death and Disability Benefits. Information about all the benefits is available from the New York State Retirement System's website at <http://www.osc.state.ny.us/retire/>. The phone number is **474-7736**.

1. Retirement Membership Tiers

Employees who were hired before July 31, 1973 are in Tier 1.

All Employees hired after July 31, 1973 are in Tier 2.

All new employees will be in Tier 6. More information is available on the website or by calling the office.

2. Benefits Provided

a. Retirement Plan

District No.1 Career Division employees are enrolled in the 20-year (non-contributory) Plan 384E. This plan, adopted in 1996, offers retirement after 20 years with ½ pay. It allows for an additional 1/60th of FAS for each year completed above and beyond 20 years. This plan requires members to be separated from service by age 62. The maximum benefit for Tier 2 employees is 70% of FAS.

In 2004, the Board agreed to adopt option 443f for all current and future employees. This option allows for retirement calculations to be based on either an employee's highest consecutive 36 months of service or based on the final 12 months of an employee's career (whichever calculation gives the highest benefit).

3. Continuation of Medical Benefits after Retirement

The Board of Fire Commissioners agreed in 2004 to provide all retirees with medical insurance coverage at least equivalent to the retiree's benefits at the time of retirement. Future retirees shall pay 20% of their health care insurance premiums, except for any employees hired before 1/1/2009 who are exempt from contributions.

4. Social Security

All employees are covered by Social Security.

J. Firefighter Health and Safety Committee

A Firefighter Health and Safety Committee comprised of two members designated by the NPFA, and two members designated by the Board of Fire Commissioners shall be established. This committee shall meet as needed to discuss issues effecting the safety and health of the NPFA membership. It is understood that this is an advisory committee to the Career Chief and the Board of Fire Commissioners.

K. Legislative Action

It is agreed by and between the parties that any provision of this agreement requiring legislative action to permit its implementation by amendment of law or by providing the additional funds therefore, shall not become effective until the appropriate legislative body has given approval.

L. PFA Input on New Hires

The board agrees to seek input from the PFA on potential new hires.

M. Signatures

For the NPFA:

President: _____ Date: _____

Vice President: _____ Date: _____

For the Board of Fire Commissioners:

Chairman: _____ Date: _____

Vice Chairman: _____ Date: _____