

1 **BILL NO. G-14-05-15**

2 **General Ordinance No. G-12-14**

3  
4 **AN ORDINANCE FOR THE AMENDMENT OF SECT. 40.02**  
5 **to 40.12 OF THE**  
6 **CODE OF FORT WAYNE**

7 **WHEREAS**, it is the responsibility of the City of Fort Wayne (the "City") to  
8 provide services in the most efficient and fiscally responsible manner for the benefit  
9 of its residents; and

10 **WHEREAS**, the City currently expends a significant amount of resources  
11 engaging in the collective bargaining process with multiple bargaining  
12 representatives and negotiating multiple collective bargaining agreements with City  
13 employees; and

14 **WHEREAS**, the City has found that increases in the number of restrictions  
15 set forth in the City's collective bargaining agreements have resulted in decreased  
16 productivity; and

17 **WHEREAS**, the City needs flexibility to obtain services at market rate to  
18 meet ongoing fiscal challenges; and

19  
20 **WHEREAS**, neither state nor federal law requires the City to engage in  
21 collective bargaining with its employees; and

22 **WHEREAS**, the City finds it in its best interest to move forward with  
23 meaningful reforms to its collective bargaining procedures;



24  
25 **WHEREAS**, nothing in this ordinance is intended to take away or infringe  
26 on the right of city employees to organize into a local union or association, or to  
27 continue their organization in a presently existing local union or association;


1                   **NOW, THEREFORE, BE IT ORDAINED BY THE COMMON**  
2                   **COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:**

3                   **SECTION 1.** That Chapter 40 of the Fort Wayne Code of Ordinances:  
4                   “COLLECTIVE BARGAINING” SHALL BE AMENDED to delete Sections 40.02  
5                   through 40.12 in their entirety and replace them with the following:

6                   **§ 40.02 COLLECTIVE BARGAINING WITH CITY EMPLOYEES**  
7                   **WHO ARE NOT SAFETY EMPLOYEES.** The city shall not engage in collective  
8                   bargaining or enter into collective bargaining agreements with city employees who  
9                   are not safety employees.  
10

11                   **SECTION 2.** That this Ordinance shall be in full force and effect from and  
12                   after its passage and any and all necessary approval by the Mayor.

13  
14                     
15                   \_\_\_\_\_  
16                   John Crawford, Council Member  
17                     
18                   \_\_\_\_\_  
19                   Russ Jehl, Council Member

20                   APPROVED AS TO FORM AND LEGALITY  
21                     
22                   \_\_\_\_\_  
23                   Joseph G. Bonahoom, City Council Attorney  
24  
25  
26  
27  
28  
29  
30

Bill No. G-14-05-15 - Ordinance to over-ride Mayor's Veto

Public Hearing Date, if applicable \_\_\_\_\_

Read the first time in full and on motion by Councilman \_\_\_\_\_

Read the second time by title and referred to the \_\_\_\_\_

Committee. Read the third time in full and on motion by Councilman \_\_\_\_\_

\_\_\_\_\_ placed on passage by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	_____	_____	_____	_____
BENDER	<u>Martin Bender</u>	_____	_____	_____
CRAWFORD	<u>John Crawford</u>	_____	_____	_____
DIDIER	<u>Thomas Didier</u>	_____	_____	_____
HARPER	<u>M. Harper</u>	_____	_____	_____
HINES	_____	<u>Ryan Hines</u>	_____	_____
JEHL	<u>A. Jehl</u>	_____	_____	_____
PADDOCK	_____	<u>Tom Paddock</u>	_____	_____
SHOAF	_____	<u>Tom Shoaff</u>	_____	_____
SMITH	<u>Tom Smith</u>	_____	_____	_____

DATED: 6-24-14 Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE (RESOLUTION) NO. G-12-14 on the 24th day of June, 2014

ATTEST:  
Sandra E. Kennedy  
SANDRA E. KENNEDY,  
CITY CLERK

Martin A. Bender  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 2014, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_ 2014, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ E.S.T.

\_\_\_\_\_  
THOMAS C. HENRY, MAYOR

ORDINANCE VETO BY THE MAYOR

BILL NO G-14-05-15

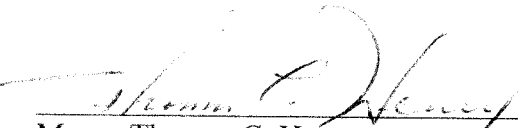
GENERAL ORDINANCE NO. G-12-14

THE ABOVE ORDINANCE WAS VETOED BY MAYOR HENRY ON FRIDAY, JUNE 13, 2014. A 2/3<sup>RD</sup> VOTE IS NEEDED TO OVERRIDE THE MAYOR'S VETO. THIS VOTE WILL TAKE PLACE ON TUESDAY, JUNE 24, 2014.

CHAPTER 40 OF THE FORT WAYNE CODE OF ORDINANCES: "COLLECTIVE BARGAINING" SHALL BE AMENDED TO DELETE SECTIONS 40.02 THROUGH 40.12 IN THEIR ENTIRETY AND REPLACE THEM WITH THE FOLLOWING:

40.02 COLLECTIVE BARGAINING WITH CITY EMPLOYEES WHO ARE NOT SAFETY EMPLOYEES. The city shall not engage in collective bargaining or enter into Collective bargaining agreements with its employees who are not safety employees.

That this Ordinance shall be in full force and effect from and after its passage and any and all approval by the Mayor.

  
\_\_\_\_\_  
Mayor Thomas C. Henry

Date 6/13/14



# CITY OF FORT WAYNE

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## Mayor's Veto Message

*June 13, 2014*

I have decided to veto the ordinance passed by City Council that would end collective bargaining for non-public safety union employees.

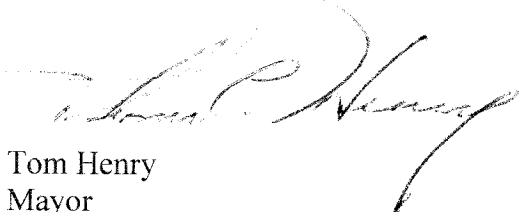
This has been a divisive issue that sends the wrong message and is a step backward for our community.

By working together, we've experienced unprecedented momentum in the City of Fort Wayne. Through innovative and engaging partnerships, we've built a nationally-recognized, affordable, and high-performing city government. Now is not the time to risk the progress we're making in our community by rushing through an ordinance that takes away the rights of our award-winning city employees. We win the future by making smart choices, not by jeopardizing the formula for success and demoralizing our city team.

I want to recognize and commend Councilmen Hines, Paddock, and Shoaff for opposing the collective bargaining ordinance. I applaud them for being advocates for employees, residents, and businesses.

The ordinance passed by City Council does not assist our collective efforts to invest in the future, attract and retain businesses and jobs, and be a leader in quality of life and neighborhood enhancements.

We will overcome this unnecessary challenge that is before us. I commit to all city employees and residents of Fort Wayne that we'll continue to work together to win the future and place our city in the best position possible for growth and prosperity.



Tom Henry  
Mayor

ENGAGE · INNOVATE · PERFORM

CITIZENS SQUARE

200 E. Berry St. · Fort Wayne, Indiana · 46802 · [www.cityoffortwayne.org](http://www.cityoffortwayne.org)

Public Hearing Date, if applicable \_\_\_\_\_

Read the first time in full and on motion by Councilman Tom Didier  
Read the second time by title and referred to the Regulations  
Committee. Read the third time in full and on motion by Councilman  
Didier, placed on passage by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>6</u>	<u>3</u>	_____	_____
BENDER	<input checked="" type="checkbox"/>	_____	_____	_____
CRAWFORD	<input checked="" type="checkbox"/>	_____	_____	_____
DIDIER	<input checked="" type="checkbox"/>	_____	_____	_____
HARPER	<input checked="" type="checkbox"/>	_____	_____	_____
HINES	_____	<input checked="" type="checkbox"/>	_____	_____
JEHL	<input checked="" type="checkbox"/>	_____	_____	_____
PADDOCK	_____	<input checked="" type="checkbox"/>	_____	_____
SHOAFF	_____	<input checked="" type="checkbox"/>	_____	_____
SMITH	<input checked="" type="checkbox"/>	_____	_____	_____

DATED: \_\_\_\_\_ Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as  
(ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE  
(RESOLUTION) NO. \_\_\_\_\_ on the \_\_\_\_\_ day of  
\_\_\_\_\_, 2014

Sandra E. Kennedy ATTEST:  
SANDRA E. KENNEDY,  
CITY CLERK

Thomas C. Bender  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day  
of \_\_\_\_\_, 2014, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_  
2014, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ E.S.T.

\_\_\_\_\_  
THOMAS C. HENRY, MAYOR

Roll Call

Motion to Table  
for a commission to

Public Hearing Date, if applicable \_\_\_\_\_

Read the first time in full and on motion by Councilman \_\_\_\_\_ study C. Bargaining

Read the second time by title and referred to the \_\_\_\_\_

Committee. Read the third time in full and on motion by Councilman \_\_\_\_\_, placed on passage by the following vote:

Failed

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>3</u>	<u>4</u>	_____	_____
BENDER	_____	✓	_____	_____
CRAWFORD	_____	✓	_____	_____
DIDIER	_____	✓	_____	_____
HARPER	_____	✓	_____	_____
HINES	✓	_____	_____	_____
JEHL	_____	✓	_____	_____
PADDOCK	✓	_____	_____	_____
SHOAFF	✓	_____	_____	_____
SMITH	_____	✓	_____	_____

DATED: \_\_\_\_\_

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE (RESOLUTION) NO. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2014

Sandra E. Kennedy ATTEST:  
SANDRA E. KENNEDY,  
CITY CLERK

Thomas A. Bender  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 2014, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_ 2014, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ E.S.T.

\_\_\_\_\_  
THOMAS C. HENRY, MAYOR

**BILL NO. G-14-05-15**

**REPORT OF COMMITTEE ON REGULATIONS**

**MAY 27, 2014**

*Tom Didier, Chair  
Mitch Harper, Co-Chair  
All Council Members*

**AN ORDINANCE** for the Amendment of Sec. 40.02 for 40.12 of the Code of Fort Wayne. (Collective Bargaining with City employees who are not Public Safety Employees). **COMMITTEE ON REGULATIONS HAVE HAD SAID** Ordinance under consideration and beg leave to report back to the Common Council that said ordinance

<b>DO PASS</b>	<b>DO NOT PASS</b>	<b>ABSTAIN</b>	<b>NO REC</b>
<i>John N. Crawford</i>			
<i>Martin L. Baird</i>			
	<i>John</i>		
	<i>Paul</i>		
<i>Matt Harper</i>	<i>Greg</i>		
<i>Tom</i>	<i>Blair</i>		
<i>Thomas</i>			
<i>Flannery</i>			

**SANDRA E. KENNEDY  
CITY CLERK**

John Sheaff, give notice of my  
intention to move the reconsideration  
of the Motion to Pass Ordinance No. S-1755-15  
at the next regular meeting of  
the Common Council

John A. Sheaff  
Chairman At-Large  
May 27, 2014

Public Hearing Date, if applicable \_\_\_\_\_

Read the first time in full and on motion by Councilman \_\_\_\_\_

Read the second time by title and referred to the \_\_\_\_\_

Committee. Read the third time in full and on motion by Councilman \_\_\_\_\_

\_\_\_\_\_ placed on passage by the following vote:

*Hold till  
June 10, 2014*

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	7 <del>4</del>	2 <del>8</del>	_____	_____
BENDER	✓	_____	_____	_____
CRAWFORD	✓	_____	_____	_____
DIDIER	✓	_____	_____	_____
HARPER	✓	_____	_____	_____
HINES	_____	✓	_____	_____
JEHL	✓	_____	_____	_____
PADDOCK	_____	✓	_____	_____
SHOAFF	✓	<del>✓</del>	_____	_____
SMITH	✓	_____	_____	_____

DATED: 5-27-14 Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as  
(ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE  
(RESOLUTION) NO. \_\_\_\_\_ on the \_\_\_\_\_ day of  
\_\_\_\_\_, 2014

ATTEST:  
Sandra E. Kennedy  
SANDRA E. KENNEDY,  
CITY CLERK

Thomas A. Bender  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day  
of \_\_\_\_\_, 2014, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_  
2014, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ E.S.T.

\_\_\_\_\_  
THOMAS C. HENRY, MAYOR

A SPECIAL MEETING OF THE  
COMMON COUNCIL OF THE CITY  
FORT WAYNE, INDIANA TO BE HELD

WE, THE UNDERSIGNED, BEING A MEMBER OF THE COMMON COUNCIL  
OF THE CITY OF FORT WAYNE, INDIANA, DO HEREBY CALL A SPECIAL MEETING  
OF SAID COUNCIL TO BE HELD ON June 3, 2014  
AT 5:30 P.M. LOCATION OF 200 E. BERRY ST., DISCUSSION ROOM #30 FOR THE  
PURPOSE OF VOTING TO OVER-RIDE THE MAYOR'S VETO  
VOTE ON THE FOLLOWING ORDINANCES:

G - 14-05-15

A COPY OF THE RESOLUTION(S) IS AVAILABLE FOR INSPECTION IN THE OFFICE  
OF THE CITY CLERK.

Martin A. Bender  
Martin A. Bender

John N. Crawford  
John N. Crawford

Thomas Didier  
Thomas Didier

Mitch Harper

Russ Jehl  
Russ Jehl

Tom Smith  
Tom Smith

Dated this 5-27-2014

Sandra E. Kennedy  
Sandra E. Kennedy, City Clerk

Collective Bargaining Ord.

Public Hearing Date, if applicable \_\_\_\_\_

Read the first time in full and on motion by Councilman \_\_\_\_\_

Read the second time by title and referred to the \_\_\_\_\_

Committee. Read the third time in full and on motion by Councilman \_\_\_\_\_

placed on passage by the following vote:

*To Pass for discussion next wk -*

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>6</u>	<u>2</u>	_____	<u>✓</u>
BENDER	_____	_____	_____	_____
CRAWFORD	<u>✓</u>	_____	_____	_____
DIDIER	<u>✓</u>	_____	_____	_____
HARPER	<u>✓</u>	_____	_____	_____
HINES	_____	<u>✓</u>	_____	_____
JEHL	<u>✓</u>	_____	_____	_____
PADDOCK	_____	<u>✓</u>	_____	_____
SHOAFF	<u>✓</u>	_____	_____	_____
SMITH	<u>✓</u>	_____	_____	_____

DATED: \_\_\_\_\_ Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE (RESOLUTION) NO. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2014

Sandra E. Kennedy  
SANDRA E. KENNEDY,  
CITY CLERK

Thomas C. Bender  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 2014, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_ 2014, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ E.S.T.

\_\_\_\_\_  
THOMAS C. HENRY, MAYOR

## Summary of 2007 Analysis



City engaged Waggoner Irwin Scheele & Associates in 2007

Objectives were threefold:

- Audit existing job classification system
- Conduct internal salary analysis and factor points to current pay schedules
- Conduct an external salary analysis and make salary recommendations

## Outcomes of Analysis



- City adopted job categories to properly categorize similar job responsibilities
- City adopted Salary Grid using external salary analysis for non-union positions
- City annually adjusts salary grid to external salary adjustment analysis

## Analysis of Union Positions



Union positions with adopted job categories

- 70.3% of union positions were sampled
- 97.9% of union positions sampled are under the external high salary grid

**Conclusion – union positions appear to be closer to external midpoint within the grid**

## Employees Per Capita



Analysis of full-time employees per 1000 residents using 2010 census information

Indianapolis	8.86
Evansville	9.98
South Bend	11.05
Gary	11.61
Fort Wayne	5.63

## Transition Issues



- It will take 5 months to factor all union positions using current job categories (to be complete in December)
- City will assign salary grid to each job category for analysis
- City will complete an evaluation of all work rules per union
- Make changes to appropriate IT systems

## What are we asking?



- In order to properly analyze information, the Administration is requesting that you re-evaluate your vote and sustain the Mayor's veto.
- Form an Employee Benefit Group consisting of:
  - Council Members
  - Union Members
  - City Administration
  - Private Sectorwith a recommendation due in 3 months.