

ORDINANCE NO. 190480

Authorizing the City Manager to enter into a side letter agreement to the Collective Bargaining Agreement between the City and the International Association of Firefighters, Local 42, that authorizes Local 42 to provide an Employee Assistance Program (EAP) to Fire Department personnel in the classified service; and authorizing an expenditure in the amount of \$250,000.00 for such side letter agreement; and recognizing this ordinance as having an accelerated effective date.

WHEREAS, Article V, Section 7 of the Collective Bargaining Agreement (CBA) between the City and International Association of Firefighters (IAFF) Local No. 42, which addresses Employee Health and Wellness, states:

The City shall continue to provide an Employee Assistance Program (EAP) and the IAFF/IAFC Candidate Physical Agility Test (CPAT) for entry-level candidates. The City and the Union agree to encourage members to get annual physicals from their personal physician in accordance with the IAFF/IAFC Wellness Fitness Initiative. The City shall maintain at no cost to the member the health and wellness requirements of HAZMAT during the term of this Agreement. All required vaccinations for EMS licensure will be provided by the fire department at no cost to the member; and

WHEREAS, Article XXI, Section 1 of the CBA between the City and IAFF Local No. 3808, which addresses Employee Health and Wellness, states:

The fire department shall provide a health and wellness initiative modeled after the IAFF/IAFC Health and Wellness Initiative and as established by the Labor/Management partnership; and

WHEREAS, Article XXV, Section 15 of the CBA between the City and American Federation of State, County and Municipal Employees (AFSCME) Local No. 500, which addresses an Employee Assistance Program (EAP), states:

The City and the Union are both participating in the Employee Assistance Program. As long as they are participating they shall cooperate to make it a success; and

WHEREAS, bargaining unit members of IAFF Local No. 42 are subject to the Drug and Alcohol Misuse Testing Policy found in Appendix B of the CBA between the City and IAFF Local No. 42 and such Policy requires mandatory referrals to an EAP under certain specified conditions when the Policy has been violated; and

WHEREAS, bargaining unit members of IAFF Local No. 3808 are subject pursuant to Article XIX of the CBA between the City and Local 3808 to the Drug and Alcohol Misuse Testing Policy found in Appendix B of the CBA between the City and

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IAFF Local No. 42 and such Policy requires mandatory referrals to an EAP under certain specified conditions when the Policy has been violated; and

WHEREAS, bargaining unit members of AFSCME Local No. 500, pursuant to Article XXV, Section 15, of the CBA between the City and AFSCME Local No. 500, and City employees who are not in a bargaining unit are subject to the Drug and Alcohol Misuse Testing Policy found in Appendix G of the Human Resources Rules and Policy Manual and such Policy requires mandatory referrals to an EAP under certain specified conditions when the Policy has been violated; and

WHEREAS, the composition and certain characteristics of the members of the Kansas City Fire Department, as they relate to behavioral health, have changed; and

WHEREAS, among other things, changes include an increased incidence of Post-Traumatic Stress Disorder (PTSD) and related symptoms and afflictions; and

WHEREAS, the IAFF and IAFF Local No. 42 have developed programs and expertise in matters of behavioral health, through such programs as the IAFF Center of Excellence and the IAFF's Peer Counselor Program which can help all members of the Fire Department; and

WHEREAS, IAFF Local No. 42, at no expense to the City has developed and trained its own cadre of Peer Counselors; and

WHEREAS, the City and IAFF Local No. 42 have determined that an array of behavioral health services, such as EAP services, can be best provided by IAFF Local 42 to its members and other personnel of the Fire Department in the classified service; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

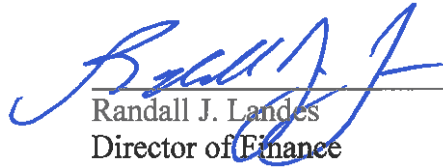
Section 1. That the City Manager is hereby authorized to enter into a side letter agreement to the Collective Bargaining Agreement between the City and the International Association of Firefighters (IAFF), Local No. 42, on behalf of the City, for IAFF Local No. 42 to provide an Employee Assistance Program (EAP) that will be offered to all Fire Department personnel in the classified service and to provide an EAP to such personnel who have been mandatorily referred to an EAP pursuant to the relevant drug and alcohol misuse testing policy. A copy of the side letter agreement is on file with the City Clerk. That an expenditure in the amount of \$250,000.00 is hereby authorized for this side letter agreement.

Section 2. That the City Manager is hereby authorized to expend up to \$250,000.00 from appropriated funds in Account No. 20-1000-231010-B to satisfy the cost of this side letter agreement.

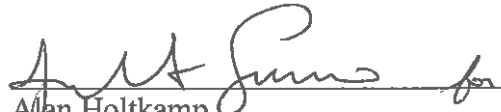
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Section 3. That this ordinance is recognized as an ordinance with an accelerated effective date as provided by Section 503(a)(3)(C) of the City Charter in that it appropriates money, and shall take effect in accordance with that section.

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the forgoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

  
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Randall J. Landes  
Director of Finance

Approved as to form and legality:

  
\_\_\_\_\_  
Allan Holtkamp  
Assistant City Attorney



Authenticated as Passed

  
\_\_\_\_\_  
Shy James, Mayor

  
\_\_\_\_\_  
Marilyn Sanders, City Clerk

JUL 11 2019

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Date Passed