

MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF SARASOTA AND THE IUPA
INTERIM PROCEDURE TO ADDRESS STATUS QUO ISSUES

April 24, 2018

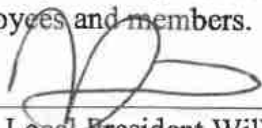
The City of Sarasota (the City) and the International Union of Police Associations (the "IUPA") (individually a "Party" and collectively the "Parties") hereby agree to adopt the Interim Procedure To Address Status Quo Issues ("Interim Status Quo Procedure") attached hereto and incorporated herein as Exhibit A, and acknowledge and agree as follows:

1. The Parties understand their respective rights and obligations regarding the "status quo" relationship that exists between the Parties prior to the ratification of an initial collective bargaining agreement;
2. The Parties also understand and agree that an interim alternative dispute resolution process would be beneficial for the Parties to discuss and mediate any allegations regarding a change in the status quo;
3. The Interim Status Quo Procedure, Exhibit A, sets forth how the Parties are to address issues regarding any such change from the status quo and outlines the procedure to be followed;
4. The Parties also agree that any resolution of an alleged change in the status quo will be recognized as the past practice between the Parties for purposes of the negotiation of an initial collective bargaining agreement;
5. Notwithstanding the requirements of the Interim Status Quo Procedure, if a Party has 30 days or less, of the six (6) month statute of limitations, to file an unfair labor practice pursuant to Section 447.501, F.S.; the Party has the option to preserve its rights under Section 447.501, F.S. by filing an unfair labor practice with the Florida Public Employees Relations Commission, so long as the Party made a reasonable effort to follow the Interim Status Quo Procedure.

The undersigned each represent that they are duly authorized by the City and the IUPA to execute this Agreement and bind the Parties and their employees and members.


Stacie Mason

Director, Human Resources
on behalf of City of Sarasota

 for:
Local President William Bjork
IUPA Local 6045, on behalf of
International Union of Police
Associations

Date signed:

4/24/2018

Date signed:

4/24/18

EXHIBIT "A"

INTERIM PROCEDURE TO ADDRESS STATUS QUO ISSUES

Section 1. Definitions.

- A. Aggrieved Party/Parties - a Party/Individual who alleges that they have been adversely affected by a change in the status quo.
- B. Unfair Labor Practice - shall have the same meaning as set forth in FS 447.501 et seq. (ULP")

Section 2. Procedure.

A. Step 1 - Informal Meeting

1) If an allegation is made that a change in the status quo has occurred, the Party so alleging, shall serve a written request for an informal meeting between the City of Sarasota Director of Human Resources and the IUPA Representative to discuss the alleged change with the objective of resolving the issue informally.

2) The Parties agree to toll any statute of limitation regarding the filing of a ULP as of the date of the written request for a meeting under this Step 1 Informal Meeting. The written request shall be made no later than fourteen (14) calendar days after the issue first arose, or when the Party should have had knowledge thereof.

3) Any meeting under this step shall take place within fourteen (14) calendar days after such a request, however the Parties may agree in writing to an extension of time for this meeting to be held.

If the Parties resolve the issue during the meeting, the Parties shall sign an agreement within fourteen (14) days after the meeting describing the issue and the agreed-upon resolution. Once the Parties have signed this agreement, the matter shall be considered concluded except for implementation of the agreement. However, the resolution of the matter shall not act as a waiver of the Parties respective rights to collectively bargain over the issue.

4) If the issue is not resolved at the Step 1 Informal Meeting or a meeting is not timely held, the issue will be the subject of a Mediation Conference to be scheduled within 30 days of the Informal Meeting.

B. Step 2 - Mediation

- 1) If the issue is not resolved at Step 1 Informal Meeting, or if a meeting is not held, and the Party wishes to pursue the matter, the Parties shall submit the matter to Mediation with the FMCS in writing signed by the Parties.
- 2) The Parties will request a Mediator from the FMCS (or a private mediator selected by the Parties) within fourteen (14) calendar days of the written notification for Mediation.
- 3) The Parties will mediate in good faith to resolve the issues and enter into a written settlement agreement committing the resolution to writing. However, the resolution of the matter at this Step 2 – Mediation shall not act as a waiver of the Parties respective rights to collectively bargain over the issue.

C. Filing of an Unfair Labor Practice with PERC

If the issue is not otherwise resolved by Mediation or agreement between the Parties, the tolling of the time for filing of an ULP will end effective on earlier of the date that the Mediator declares impasse or the Parties mutually agree that the mediation was not successful.

Thereafter the rules and regulations of PERC regarding the filing and responding to ULPs will be followed by the Parties.

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