Binding Interest Arbitration - Northern California Agencies

City	Binding Interest Arbitration	Bargaining Groups	Elements	Policy Language	History	Costs
Alameda	Yes	Fire	All disputes pertaining to economic items only. Non economic items not taken to arbitration. Once decision is made, it cannot be implemented unless approved by a vote of the people to approve the decision and the funding. Binding arbitration for grievances and discipline per MOUs.	Charter	One interest arbitration proceeding, but decision was never implemented and vote of the people not taken because parties reached agreement prior to decision.	Hard and soft costs $250,000 approx.
Gilroy	Yes	Fire, Police	All disputes or controversies pertaining to wages, hours, or terms and conditions of employment remaining after negotiations go to interest arbitration. MOUs have binding arbitration of grievances and discipline.	Charter	2 interest arbitration proceedings with Fire. 1 in 1999 - minimum staffing was a major issue. Arbitrator decided that staffing would be increased from 6 to 8 (so 3 at each station and now 4 at each station). After first Fire arbitration CC met and conferred with the unions on a counter measure that would require any arbitration decision go to a vote of the people prior to implementing - the unions were not interested. Second arbitration is currently proceeding.	Costs to date for 2006 arbitration are $200,000 for legal counsel and arbitrators, excluding staff time. Costs will increase, as process has not been completed.
Hayward	Yes	Fire	Binding arbitration for grievances and discipline per MOUs. Interest arbitration for Fire.	Charter (1975)	Used once approximately 20 years ago.	Unknown

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Modesto	Yes	Fire, Police	All disputes or controversies pertaining to wages, hours, or terms and conditions of employment remaining after negotiations go to interest arbitration. MOUs have binding arbitration of grievances and discipline.	Charter (1998)	Fire used arbitration in 2000 for 4 items. City prevailed on salary, health, FLSA overtime calculation; Union prevailed on 3% @ 50 at no cost to employee.	Hard costs of $300,000 - $325,000, plus hundreds of staff hours and resources used. The cost of the settlement to the City was $1m per year. (The City has since bargained with the POA and is no longer charging the POA for the 9% for 3 @ 50.)
Monterey	Yes	Fire, Police	All disputes or controversies pertaining to wages, hours, or terms and conditions of employment remaining after negotiations go to interest arbitration.	Charter (2002)	Has not been used.	N/A
Oroville	Yes	Fire	All disputes or controversies pertaining to wages, hours, or terms and conditions of employment remaining after negotiations; issue by issue.	Charter (2004)	Has not been used.	N/A
Oakland	Yes	Fire, Police	Interest arbitration for the entire contract, including economic and noneconomic items. Binding arbitration for grievances and discipline per MOUs.	Charter	Fire has gone to arbitration many times. Police have taken single items to arbitration on 4 to 5 items over 20 years. Results have been mixed - sometimes in the City's favor and sometimes in the Union's.	Very expensive as there is a tremendous amount of outside legal counsel time to prepare and to arbitrate, plus costs related to staff time and resources.

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Palo Alto	Yes	Fire, Police	All disputes or controversies pertaining to wages, hours, or terms and conditions of employment remaining after negotiations; issue by issue. Binding arbitration for grievances (all bargaining units).	Charter (1978)	3 arbitration hearings: 2 in favor of Union (~'82: Rejection of City's 2-tier retirement proposal & ~'98: revoking anti-nepotism policy) & 1 "compromise" (~'00: establish a mutally agreed upon set of 15 benchmark agencies).	Unknown
Redwood City	Yes	Fire	All disputes or controversies pertaining to wages, hours, or terms and conditions of employment remaining after negotiations; issue by issue. Binding arbitration for grievances (all bargaining units).	Charter (1987)	Used only used once, with Firefighters in 1992 or earlier.	Unknown
Salinas	Yes	Fire	All disputes or controversies pertaining to wages, hours, or terms and conditions of employment remaining after negotiations. Union has option of arbitration or City Manager for grievances.	Charter (1998)	Used during both negotiations since arbitration implemented in late 1990s - union won first time, mediated a settlement the second time. Big issues were COLAs and minimum staffing during the first arbitration and the addition of an Engineer classification and 3% @ 50 during the second.	$200,000 plus costs for internal staff time (HR, Fire Management, Legal).
San Jose	Yes	Fire, Police	All disputes or controversies pertaining to wages, hours, or terms and conditions of employment remaining after negotiations; issue by issue. Binding arbitration for grievances (Police, Fire, and all other bargaining units with MOAs).	Charter (1980), MOA	Used 4 times: police 1994, fire 1991 and 1994, & police/fire retirement 1997. The City and POA ratified a new 4-year MOA, retroactive to 03/01/04. Fire's last MOA expired in 2003 and negotiations are ongoing. The Firefighters' union has filed a lawsuit against the City regarding the POA's MOA, alleging a violation of an agreement that the police and the firefighters negotiate retirement benefits together.	Unknown
San Mateo	No	N/A	N/A	N/A	Measure proposed by fire union and companion measure proposed by the City were both defeated on 11.05.91, with "no" votes of 59.1% and 56.3%, respectively. Union's measure was for issue-by-issue binding interest arbitration on all unresolved issues, to be decided by a 3-member board. If the union's measure passed, the City's companion measure would have limited arbitration to salary only and would require a 2/3 majority vote to approve any salary increase awarded, if greater than the City's last offer.	N/A

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Santa Cruz	Yes	Fire	All disputes or controversies pertaining to wages, hours, or terms and conditions of employment remaining after negotiations; issue by issue. Binding arbitration for grievances (Police, Fire).	Charter (1996)	Has not been used.	N/A
Sunnyvale	No	N/A	N/A	N/A	Measure proposed by public safety and communications unions and companion measure proposed by the City were both defeated on 11.03.98, with "no" votes of 50.4% and 59.7%, respectively. Union's measure was for issue-by-issue binding interest arbitration on all unresolved issues, to be decided by a single arbitrator. The City's companion measure would have made any arbitration decision that affects management rights or results in increased costs subject to voter approval.	N/A
Vallejo	Yes	All	All disputes or controversies pertaining to wages, hours, or terms and conditions of employment remaining after negotiations; issue by issue	Charter (1980), MOU	Arbitration with Fire (mid 90s), Police (96/97), and IBEW (90 & late 90s) - issues primarily involved money.	At least $150,000+ on the process, not counting staff time.
Watsonville	Yes	Fire	All disputes or controversies pertaining to wages, hours, or terms and conditions of employment remaining after negotiations	Charter	Has not been used.	N/A

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