

PORT AUTHORITY OF ALLEGHENY COUNTY
MINUTES OF THE SPECIAL BOARD MEETING
WEDNESDAY, JANUARY 15, 2014

The Special Meeting of the Board of Port Authority of Allegheny County was held on Wednesday, January 15, 2014 at 8:00 a.m., at the Authority's Administration Offices, 345 Sixth Avenue, Pittsburgh, Pennsylvania, 15222-2527, pursuant to due public notice given as required by law.

Board Members:

Robert Hurley, Chairman
Tom Donatelli
John Tague Jr.
David White
Senator Jim Brewster (phone)
Representative Dom Costa (phone)
D. Raja (phone)
Amanda Green Hawkins (phone)
Robert Kania (phone)

Media:

Jon Schmitz, Post-Gazette

Port Authority Staff:

Ellen McLean, interim chief executive officer, Mike Cetra, assistant general manager Legal and Corporate Services, Keith Wargo, assistant general manager Engineering and Technical Support, Bill Miller, Chief Operations Officer, Jim Ritchie, Communications officers, Barry Adams, assistant general manager Human Resources, Wendy Stern, assistant general manager Planning and Development, Keith Wargo, assistant general manager Engineering and Technical Support Eric Wells, director Office of Equal Opportunity, Tom Noll, director Technical Support, Diane Williamson, executive assistant

Port Authority Police Department:

Officer Erik P. Beringer
Officer T. Komoroski
Officer Gabe Pediconi
Officer Lester Jordan

Others:

Jim Robinson, ACTC President
Mike Palombo, Labor Counsel

Following the Pledge of Allegiance, the Chairman called the Special Meeting to order for the purposes of considering one resolution.

The Chairman called on Mr. Michael J. Cetra, Port Authority's assistant general manager Legal and Corporate Services, to present the resolution for the Board's consideration.

Mr. Cetra reported that the resolution would authorize Port Authority to accept the Fact Finder Report and Recommendations issued on January 3, 2014 in regards to Port Authority's

Collective Bargaining Agreement with the Port Authority Transit Police Department covering Transit Police Officers. Port Authority's Collective Bargaining Agreement with the Association expired on July 31, 2013. Prior to the expiration of that Agreement, and since that time, Port Authority's management representatives and representatives of the Transit Police Association have been engaged in good faith collective bargaining seeking agreement on the terms of a new contract.

On October 18, 2013, pursuant to the Pennsylvania Labor Relations Act, the Association requested that the Pennsylvania Labor Relations Board appoint a fact finder to review the respective positions of the parties and make recommendations for a revised Collective Bargaining Agreement. The Fact Finder, Attorney William J. Miller Jr., was appointed on November 19, 2013, and following a hearing and related communications with the parties, issued his Fact Finding Report and Recommendations on January 3, 2014. Mr. Cetra noted that a copy of that Report, which was previously provided to Members for review, is attached as an exhibit to the resolution before the Board today.

Mr. Cetra continued reporting that management has reviewed the recommendations contained in the Report, which include an agreement term of three years, retroactive from August 1, 2013; wage increases of 2.5 percent annually over each year of the three-year agreement; and \$150 increases in the current Education and Training Incentive Pay Program levels that would take effect on August 1, 2014 and August 1, 2015, while also providing the Chief of Police the ability to add courses at his sole discretion. Management reviewed these recommendations, and the other recommendations listed in the Report, and believe the Report to be reasonable and should be accepted by Port Authority. This resolution would authorize acceptance of the Fact Finder's Report and authorizes Port Authority to notify the Pennsylvania Labor Relations Board of the same pursuant to our statutory obligations.

Mr. Cetra noted at this time that management was notified yesterday that the Transit Police unanimously rejected the Report, so regardless of the Board's decision today, the parties will continue to engage in good faith bargaining.

Mr. Cetra respectfully requested that the Board approve this resolution as presented.

It was moved by Mr. Donatelli, and seconded by Mr. Tague.

Given that we have members on the phone, the Chairman requested the Board to signify their vote independently.

Before the vote was taken, Ms. Green Hawkins asked for clarification on the effect of adopting this resolution.

Mr. Cetra responded that essentially what this means is that, under the statute, if both parties would have accepted the Report, then, yes, that would have become the terms of our revised Collective Bargaining Agreement, but when one party rejects the Report, then neither is bound by it and we will continue to bargain in good faith. It would have no material effect at this point only to fulfill our obligation to accept or reject the Report from our perspective.

The Chairman reiterated that the resolution put forth to the Board is that we accept the Fact Finder's Report as presented. Senator Brewster asked, "bottom line is that negotiations are going to continue, correct?" Mr. Cetra responded affirmatively.

Thereafter, the Chairman requested approval of the resolution to accept the Fact Finder's Report and Recommendations, which was moved and seconded, and the Board was then polled and voted as follows:

Senator Brewster	Yes
Representative Costa	Yes
Ms. Green Hawkins	No
Mr. D. Raja	Yes
Mr. Kania	Yes
Mr. Donatelli	Yes
Mr. Tague	Yes
Mr. White	Yes
Mr. Hurley	Yes

The Chairman indicated that with a vote of eight to one, the resolution passes.

At this time, the Chairman announced that we generally do not take comment at Board meetings, but given this is a special meeting, we have allotted five minutes to someone from the Union to give comment, indicating that the Board will not take questions or comment in return.

The President of the Police Association, and Port Authority officer for 20 years, Officer Erik Beringer commented at this time. Officer Beringer thanked the Board for the opportunity to speak. He said that he would like to inform the Board on the negotiation process and what is going on. Since back in June of 2013, we have been negotiating back and forth. Sometimes it would take two or three weeks while negotiating to get back to the bargaining table, noting that it was not a smooth process. That is why the Police Association decided to go to the fact finder in October.

He continued stating that some of the main reasons the Union unanimously rejected the Fact Finder's Report is that we gave up concessions for over five years. We haven't taken a contract raise in over five years. We took a minor 2.5 percent raise in January, but that was to open the contract negotiations in the hopes that the members of the non-representative group would also get a pay raise. He noted that that didn't turn out so good, due to Fitzgerald rescinding that raise. So for over five years, we've gone without a pay raise and lost post-retirement healthcare that we were promised when we started, half of us over 20 years ago. Then, in August 2013, we took a six percent pay cut due to our pension increase. Another reason why the Union rejected the report is that it was even less than what Port Authority was offering before we went into the fact finding process. Although the raise for the first year might have been a little bit more with the 2.5 percent received in January, the training incentive pay was reduced by the fact finder and there were numerous things that weren't resolved by the fact finder.

During negotiations, we were trying to get in line with what the other unions in Port Authority are getting in regards to pay increases and healthcare. In other unions, there are people not even hired or even on the property yet that are getting post-retirement healthcare. We are not asking for lifetime post-retirement healthcare, but asked for three years and thought that was fair and reasonable.

Officer Beringer noted that there are janitors making \$27 an hour while officers are making \$24 an hour which is a great deal more we are out there strapping on armor. Not that the janitors are doing a bad job, but they are making a considerable amount more than we are making.

Officer Beringer said that they are aware that this is a new board and you may not know what we do. He then reported on a few stats for 2013 such as 99 warrant arrests, 39 robberies with weapons, 131 intoxication arrests, 128 driving under the influence arrests, 249 drug arrests, 236 disorderly conduct arrests, 19 crisis interventions, 396 collisions, three homicides, 133 assaults and 131 thefts.

Officer Beringer stated at this time that we are just looking for the Board's help. We negotiated in good faith and were very patient as we waited for this new board to come aboard and the passing of the new transportation bill. We do not believe the fact finder had all the facts, so we need your help and some consideration during negotiations so that we can move forward and get the pay raise that we deserve and the post-retirement healthcare so we can take care of our families.

As a final note, he stated that we have officers with families of four that qualify for the WIC program because of the amount of money we make.

At this time Mr. Tague commented that he would like to make sure that the negotiations are timely and effective. He realizes how difficult it is to negotiate a contract, so from his standpoint we want to make sure we do everything we can to work with the Police Association to get this settled as quickly as possible.

With no other business, the meeting was adjourned.