

10279. RESOLUTION 10-58 - AUTHORIZING EXECUTION OF A MEMORANDUM OF AGREEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND THE FRATERNAL ORDER OF POLICE, LODGE NO. 14

WHEREAS, The Delaware River and Bay Authority (the “DRBA” or “Authority”) operates the Delaware Memorial Bridge, Cape May-Lewes Ferry, Three-Forts Ferry, and five (5) airport facilities; and

WHEREAS, sworn non-supervisory employee police officers voluntarily designated the Fraternal Order of Police, Lodge No. 14 (“Union”), to represent them in an election on February 19, 2010; and

WHEREAS, the Authority and the Union are currently in negotiations for a first collective bargaining agreement; and

WHEREAS, the Authority and the Union have not yet reached agreement on all terms of a collective bargaining agreement but have reached a Memorandum of Agreement (MOA) on wages and other benefits for Fiscal Year 2010; and

WHEREAS, the Authority’s negotiating team has presented the terms of the MOA to the Personnel Committee of the Authority’s Board of Commissioners for review as follows:

1. The wages for members of the bargaining unit for Fiscal Year 2010 shall be as attached in Exhibit A. All increases in wages shall be retroactive to January 1, 2010.
2. There shall be no changes in pension, health insurance, Holiday pay, or annual leave during Fiscal Year 2010. All Police Directives shall remain in force.
3. The Union and its negotiating committee have recommended to its membership that it ratify the terms of the MOA. Following ratification by the Union’s membership, the Authority’s negotiating committee shall recommend approval of the MOA in accordance with the policies and procedures of the Authority’s Board of Commissioners and its Compact.
4. The Parties shall continue to negotiate in good faith for a complete collective bargaining agreement.

WHEREAS, the Union has ratified the MOA as of November 1, 2010; and

WHEREAS, the Authority’s negotiating team has presented the MOA to the Personnel Committee of the Authority’s Board of Commissioners; and

WHEREAS, the Personnel Committee of the Authority’s Board of Commissioners has reviewed the terms as stated in the MOA and has recommended approval thereof by the Commissioners.

NOW, THEREFORE, BE IT RESOLVED, that with the advice of Counsel, the Chairperson, Vice Chairperson, and Executive Director are hereby authorized and directed to execute such Memorandum of Agreement.

A motion to table Resolution 10-58 was made by Commissioner Dorn, seconded by Commissioner Downes. Commissioners Dorn and Smith from New Jersey, and Lowe from Delaware voted in favor of tabling Resolution 10-58. Commissioners Favre, Van Sant, and Hogan from New Jersey and Downes, Lathem, Murphy, and Traynor from Delaware voted against. With a roll call vote of 3 yes and 7 no the motion to table Resolution 10-58 failed.

A second motion to approve Resolution 10-58 was made by Commissioner Van Sant, seconded by Commissioner Murphy. Commissioners Favre, Smith, Van Sant from New Jersey, and Downes, Lathem, Murphy, and Traynor from Delaware voted in favor of approving Resolution 10-58. Commissioners Dorn and Hogan from New Jersey, and Commissioner Lowe from Delaware voted against. The motion to approve Resolution 10-58 failed by a roll call vote of 7 yes and 3 no in accordance with Article VI, Section 6.2, of the Authority By-Laws whereby four (4) Commissioners from each State shall vote in favor.