



Committee:

JOINT SELECT COMMITTEE ON COLLECTIVE BARGAINING

Senator Powell, Alternating Chair
Representative Stone, Alternating Chair

Meeting Packet

**Materials Submitted by:
Department of Lottery**

Friday, January 12, 2018
8:00—10:00 a.m.

Pat Thomas Committee Room, 412 Knott Building



ALLEN NORTON & BLUE
PROFESSIONAL ASSOCIATION

906 North Monroe Street • Tallahassee, Florida 32303
Telephone 850-561-3503 • Facsimile 850-561-0332

January 8, 2018

The Honorable Joe Negron, President
The Florida Senate
Suite 409, The Capitol
404 South Monroe Street
Tallahassee, Florida 32399-1100

The Honorable Richard Corcoran, Speaker of the House
Florida House of Representatives
Suite 420, The Capitol
402 South Monroe Street
Tallahassee, Florida 32399-1300

Re: Notification of Collective Bargaining Impasse; Florida Lottery

Dear President Negron and Speaker Corcoran:

An impasse has occurred in the collective bargaining negotiations between the Governor and the two employee associations representing the bargaining units of state employees at the Department of Lottery, pursuant to section 216.163(6), Florida Statutes. In accordance with section 447.403(5), Florida Statutes, we are submitting the enclosed list of collective bargaining contract articles on which, as of the date of this letter, an agreement has not been reached. We are continuing negotiations and will inform you of agreements reached on any of the impasse articles.

If you have questions or concerns, please contact me at 561-3503, or David Guerrieri, General Counsel for The Florida Lottery, at 487-7724.

Sincerely,

A handwritten signature in black ink that reads "Michael Mattimore".

Michael Mattimore
Chief Labor Negotiator

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cc: Donna M. Poole, Chairman, Public Employees Relations Commission
Meredith Sasso, Deputy General Counsel, Executive Office of Governor Rick Scott
Renee Tondee, Deputy Director, Office of Policy and Budget
Jim Poppell, Secretary, Department of Lottery
David Guerrieri, General Counsel, Department of Lottery
Jack Marziliano, Federation of Public Employees
Hal Johnson, Police Benevolent Association



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January 8, 2018

Senator Bobby Powell, Co-Chair
Representative Charlie Stone, Co-Chair
The Florida Legislature
Joint Select Committee on Collective Bargaining
Governmental Oversight and Accountability Committee
404 South Monroe Street
Tallahassee, Florida 32399

Re: **Impasse of Fiscal Year 2018-19 Collective Bargaining Negotiations
between the Florida Lottery and the Bargaining Agents**

Dear Members:

Enclosed are the materials requested by the Joint Committee on Collective Bargaining. The materials include the State's notice of impasse to the Florida Legislature, and the remaining proposals currently at impasse.

Thank you for the opportunity to present this information to the Committee. If you have questions or concerns, please contact me at 561-3503, or David Guerrieri, General Counsel for the Florida Lottery, at 487-7724.

Sincerely,

A handwritten signature in black ink that reads 'Michael Mattimore'.

Michael Mattimore
Chief Labor Negotiator

cc: Donna M. Poole, Commissioner, Public Employees Relations Commission
Meredith Sasso, Deputy General Counsel, Executive Office of Governor Rick Scott
Renee Tondee, Deputy Director, Office of Policy and Budget
Jim Poppell, Secretary, Department of Lottery
David Guerrieri, General Counsel, Department of Lottery
Jack Marziliano, Federation of Public Employees
Hal Johnson, Police Benevolent Association

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**Article 12
WAGES**

SECTION 1 – General Pay Provisions

The Department of the Lottery's authority to provide increases to employees' base rate of pay and salary additives from available agency funds shall be in accordance with this Agreement, state law, and the Fiscal Year 2018-2019 General Appropriations Act.

SECTION 2 – Performance Pay

In accordance with the authority provided in the Fiscal Year 2018-2019 General Appropriations Act, and from existing agency resources, the Department of the Lottery is authorized to grant merit pay increases based on the employee's exemplary performance, as evidenced by a performance evaluation conducted pursuant to Rule 60L-35, Florida Administrative Code.

SECTION 3 – Savings Sharing Program

An employee or groups of employees may be eligible for monetary awards for ideas or programs that result in a cost saving to the state, pursuant to section 110.1245(1), Florida Statutes.

SECTION 4 – Discretionary Competitive Pay Adjustments

In accordance with the authority provided in the Fiscal Year 2018-2019 General Appropriations Act, contingent on the availability of funds and at the Agency Head's discretion, each agency is authorized to grant pay adjustments to address retention, pay inequities, or other staffing issues.

Article 17

INSURANCE AND BENEFITS

17.1 The parties agree that the Lottery will administer the State Employees Group Health Self Insurance Plan in accordance with the applicable fiscal year's General Appropriations Act.

Florida Lottery Proposals

ARTICLE 12 WAGES AND PAY PLAN

Section 1:

Three tier system:

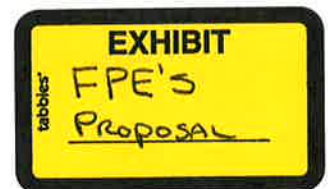
Entry Level Sales Representative - \$34,000.00 to \$36,500.00

Intermediate Level Sales Representative - \$36,501.00 - \$44,000.00

Senior Level Sales Representative - \$44,001.00 to \$58,000.00

Levels to be determined by experience, job knowledge and annual appraisal.

All other bargaining unit employees will receive \$1,000.00 or a 2.75% increase to their base pay, whichever is greater.



Article 22
WAGES

Section 1 – General Pay Provisions

Agencies' authority to provide increases to employees' base rate of pay and salary additives from available agency funds shall be in accordance with this Agreement, state law, and the Fiscal Year 2018-2019 General Appropriations Act.

Section 2 – Deployment to a Facility or Area Closed due to Emergency

In accordance with the authority provided in the Fiscal Year 2018-2019 General Appropriations Act, contingent on the availability of funds and at the Agency Head's discretion, each agency is authorized to grant a temporary special duties pay additive of up to 15 percent of the employee's base rate of pay to each employee temporarily deployed to a facility or area closed due to emergency conditions from another area of the state that is not closed.

Section 3 – Performance Pay

In accordance with the authority provided in the Fiscal Year 2018-2019 General Appropriations Act, and from existing agency resources, each agency is authorized to grant merit pay increases based on the employee's exemplary performance, as evidenced by a performance evaluation conducted pursuant to Rule 60L-35, Florida Administrative Code.

Section 4 – Discretionary Pay Adjustments

In accordance with the authority provided in the Fiscal Year 2018-2019 General Appropriations Act, contingent on the availability of funds and at the Agency Head's discretion, each agency is authorized to grant pay adjustments to address retention, pay inequities, or other staffing issues.

Article 24
INSURANCE BENEFITS

Section 1 - Insurance Coverage

The parties agree that the Lottery will administer the State Employees Group Health Self Insurance Plan in accordance with the applicable fiscal year's General Appropriations Act. Selected Exempt Service employees shall pay the same health insurance premiums as Career Service employees.

Section 2 - Death In-Line-Of-Duty Benefits

(A) Funeral and burial expenses will be as provided in Section 112.19, Florida Statutes.

(B) Education benefits will be as provided in Section 112.19, Florida Statutes.

(C) State Employees Group Health Self-Insurance Plan premium for the employee's surviving spouse and children will be as provided in Section 110.123, Florida Statutes.

(D) Any complaint or claim by an employee or the Association concerning this Section shall not be subject to the Grievance Procedure of this Agreement.

**Florida PBA Reopener Proposals
Contract Year 2018-2019
Lottery Bargaining Unit**

Article 22 - Wages

This proposal is drafted in consideration of Governor Scott's Fiscal Year 2018-2019 Recommended General Appropriations Act and specifically that section denominated as Section 8(2) of Employee Compensation and Benefits, Special Pay issues.

The Florida PBA agrees that the State's law enforcement agencies, including the Florida Lottery should implement an individualized Recruitment and Retention Plan after negotiation of the terms of such plans with the PBA.

1. In determining the content of R&R plans, the Florida PBA proposes a more aggressive timeline than that suggested by Governor Scott and DMS. It is the PBA's position agency draft recruitment and retention plans should be presented to the Office of the Governor, DMS and the Association, no later than January 17, 2018.
2. The PBA proposes a alternate pay raise for FY 2018-2019 which includes the following components for the Florida Lottery if it does not propose an approved R&R plan which includes:

The raise shall provide a base salary pay adjustment for bargaining unit members of a minimum of seven percent (7%) for members employed as of June 30, 2018 to be effective July 1, 2018.

The raise provide for a base salary pay adjustment of a minimum of three percent (3%) for members with ten or more years of service, such increase to be effective October 1, 2018, or on the date the years of service standard is met.

3. If the Lottery's plan or intent is to provide for an adjustment in the minimum starting salary of a classification, it shall also provide a wage adjustment for current bargaining unit members in order to address compression issues which may result from the increase in the starting salary. Both Lottery and PBA recognize salary compression is a major issue which needs to be fully addressed in the development of a R&R plan.



**Florida PBA Reopener Proposals
Contract Year 2018-2019
Lottery Bargaining Unit**

4. The PBA and Lottery agree to set aside the time necessary to complete negotiations in a fair and reasonable fashion. Once negotiations of an agency recruitment and retention plan is complete the Florida Legislature shall be provided a copy of the plan for its consideration.

Article 24 – Insurance

The Florida PBA proposes: Health insurance benefits and employee contributions shall remain unchanged for Fiscal Year 2018-2019.