

RESOLUTION 2022-034

PASSED: MARCH 28, 2022

APPROVING AN AMENDMENT TO THE COLLECTIVE BARGAINING AGREEMENT WITH THE DEKALB FRATERNAL ORDER OF POLICE, LODGE #115, ILLINOIS FRATERNAL ORDER OF POLICE LABOR COUNCIL, ARTICLE 5 "HOLIDAYS", SECTION A "BASE HOLIDAY ENTITLEMENT", AND SECTION B "HOLIDAY ACCRUAL FOR NEW MEMBERS".

WHEREAS, the City of DeKalb (the "City") is a home rule unit of local government and may exercise any power and perform any function pertaining to its government and affairs pursuant to Article VII, Section 6, of the Illinois Constitution of 1970; and

WHEREAS, the City and the DeKalb Fraternal Order of Police, Lodge #115, Illinois Fraternal Order of Police Labor Council (the "Union"), are parties to a collective bargaining agreement effective Jan. 1, 2020 through Dec. 31, 2022 (the "FOP CBA"); and

WHEREAS, City Staff and the Union negotiated an amendment to the FOP CBA to include provisions for the Juneteenth holiday during FY 2022 as set forth in the same form as Exhibit A attached hereto and incorporated herein (the "FOP CBA Amendment"); and

WHEREAS, the City's corporate authorities find that is in the City's best interests for the promotion of City's welfare, public health, and safety to approve the FOP CBA Amendment; and


NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF DEKALB, ILLINOIS:

SECTION 1: The City's corporate authorities approve the FOP CBA Amendment attached hereto and incorporated herein as Exhibit A, and further authorize and direct the Mayor to execute the FOP CBA Amendment and the Executive Assistant to attest the Mayor's signature.

SECTION 2: This resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a Regular meeting thereof held on the 28th day of March 2022 and approved by me as Mayor on the same day. Passed by a 7-0-1 roll call vote. Aye: Morris, Larson, Perkins, McAdams, Verbic, Faivre, Barnes. Nay: None. Absent: Smith.




COHEN BARNES, Mayor

ATTEST:


Ruth A. Scott, Executive Assistant

**AMENDMENT TO THE COLLECTIVE BARGAINING AGREEMENT
BETWEEN THE CITY OF DEKALB AND DEKALB FRATERNAL ORDER OF POLICE
LODGE 115, ILLINOIS FRATERNAL ORDER OF POLICE LABOR COUNCIL,
EFFECTIVE JANUARY 1, 2020, THROUGH DECEMBER 31, 2022**

WHEREAS, the City of DeKalb (the "City") and the DeKalb Fraternal Order of Police, Lodge #115, Illinois Fraternal Order of Police Labor Council (the "Union"), are parties to a collective bargaining agreement effective Jan. 1, 2020 through Dec. 31, 2022 (the "CBA"); and

WHEREAS, article 5 ("Holidays") of the CBA governs holiday pay for Union members; and

WHEREAS, the City and the Union desire to amend the CBA to include payment for the Juneteenth holiday, effective for the calendar year commencing on Jan. 1, 2022; and

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS SET FORTH BELOW, THE SUFFICIENT OF WHICH IS HEREBY AGREED TO, THE CITY AND THE UNION AGREE AS FOLLOWS:

SECTION 1: Recitals. The above recitals are true, correct, material, adopted and incorporated herein as Section 1 to this Amendment.

SECTION 2: Amendment. Article 5 ("Holidays") of the CBA shall be amended in its entirety to state as follows:

ARTICLE 5. HOLIDAYS

Section A. Base Holiday Entitlement

Members covered by this agreement with at least one (1) years' service as of the first day of the Vacation Year, as defined below, in any year will receive One Hundred and Twenty (120) hours of vacation in addition to that provided in Article 6 in lieu of holidays.

Section B. Holiday Accrual for New Members

Members, as of the first day of the Vacation Year in any year, with less than one (1) full year of service, shall be entitled to additional hours of vacation time in lieu of holiday pro-rated in accordance with Article 6, Section A (i.e., 120 vacation hours times the number of months of continuous service divided by 12, rounded to the nearest full hour).

Section C. Holiday Accrual Based on Calendar Year

Members covered under Section 6(A) or 6(b) above shall receive the number of holiday hours of vacation that they would be eligible for during a full calendar Vacation Year, with eligibility determined on the first day of such Vacation Year.

SECTION 3: Miscellaneous.

A. Effect of Amendment. Except as otherwise provided herein by this Amendment, all of terms of the CBA shall remain in full force and effect. In the event of any conflict between

the terms of this Amendment and the terms of the CBA, the terms of this Amendment shall govern. Except as may otherwise be agreed to by the City and the Union, this Amendment shall be effective for the calendar year commencing on January 1, 2022.

B. Amendment. This Amendment may be amended only by the: (1) mutual agreement of the Parties evidenced by a written amendment; (2) adoption of an ordinance, resolution, or motion of the City's corporate authorities approving such written amendment as provided by law; and (3) execution of such written amendment by the Parties.

C. Entire Agreement. This Amendment sets forth all agreements, understandings and covenants between and among the Parties relative to the matters herein contained. This Amendment shall be deemed to be full integration of the entire Amendment of the Parties.

D. Severability. If any provision, covenant, agreement or portion of this Amendment, or its application to any person, entity or property, is held invalid, such invalidity shall not affect the application or validity of any other provisions, covenants, agreements or portions of this Amendment, and, to that end, all provisions, covenants, agreements or portions of this Amendment are declared to be severable.

E. Illinois Law. This Amendment shall be construed its accordance with the laws of the State of Illinois.


F. Interpretations. This Amendment has been jointly negotiated by the Parties and shall not be construed against a Party because that Party may have primarily assumed responsibility for the drafting of this Amendment.


G. Headings. The section headings in this Amendment are for convenience and reference only and shall not be construed or held in any way to explain, modify or add to the interpretation or meaning of the provisions of this Amendment.

H. Counterparts. This Amendment may be executed in one or more counterparts, all of which together shall be construed to constitute one in the same.


IN WITNESS WHEREOF, the City and the Union have duly executed this Amendment pursuant to all requisite authorizations as of the dates set forth below.

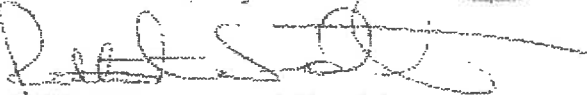
UNION

By: 
Charles Verdona, President,
Lodge 115

By: 
Richard Stomper, Representative

CITY

By: 
Cohen Barnes, Mayor

By: 
Ruth Scott, Executive Assistant

