



## ORDINANCE NO. 28973

1 AN ORDINANCE relating to pay and compensation; amending Chapter 1.12 of the  
2 Tacoma Municipal Code to implement rates of pay and compensation for  
3 employees represented by the Professional Public Safety Management  
4 Association and the Tacoma Firefighters Union, Local 31, and a change  
to reflect the organizational structure; and declaring the effective dates  
thereof.

5 WHEREAS this ordinance provides for implementation of a Collective  
6 Bargaining Agreement ("CBA") as negotiated with the Professional Public Safety  
7 Management Association ("PPSMA"), and a Letter of Agreement ("LOA") as  
8 negotiated with the Tacoma Firefighters Association, Local 31, and  
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10 WHEREAS the ordinance provisions for the PPSMA will include a wage  
11 increase of 6.5 percent for employees in Police Department positions, effective  
12 retroactive to January 1, 2024, and a wage increase of 4.5 percent for Fire  
13 Department positions, using the indexing process outlined in the CBA, and  
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15 WHEREAS other changes include the following: (1) language to amend  
16 Section 1.12.115 to increase the employer contribution to a deferred  
17 compensation plan from \$238 to \$250 per pay period; (2) amend Section  
18 1.12.229 to provide for a change in the monthly employee contribution to a  
19 Voluntary Employee Beneficiary Association ("VEBA") account; (3) the provision  
20 of a monthly employer contribution of \$250 to a VEBA account for eligible  
21 employees; and (4) a change to Section 1.12.230 to provide for a change in the  
22 method used to compensate employees for unused accrued sick leave upon  
23 retirement per the terms of the CBA, and  
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WHEREAS the LOA will provide for the creation of a new classification to be titled Fire Marshal and will be classified, salaried, exempt from overtime, and represented by the Tacoma Firefighters Union, Local 31; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Section 1.12.115 of the Tacoma Municipal Code ("TMC") is hereby amended, and effective as provided by law, to read as follows:

**1.12.115 Deferred compensation.**

\* \* \*

C. The City will make a contribution to the deferred compensation account of fire and police personnel in the classifications of Assistant Fire Chief, Deputy Fire Chief, Assistant Police Chief, and Deputy Police Chief of ~~\$238~~250 per pay period. No employer contribution will be made in any pay period during which an employee is on leave without pay for the entire pay period.

\* \* \*

Section 2. That Section 1.12.229 of the TMC is hereby amended, and effective as provided by law, to read as follows:

**1.12.229 VEBA Accounts.**

A. The City shall deposit into a VEBA (Voluntary Employee Beneficiary Association) Account a sum equivalent to 25 percent of the sick leave accruals for a nonrepresented employee; or, if provided for in a collective bargaining agreement, 25 percent of the sick leave accruals, and up to the amount provided in the specific collective bargaining agreement of Personal Time Off or vacation leave accruals for any employee who meets the following criteria:

1. The employee must qualify under subsection B of this section; and
2. The employee must be separated from the City service due to (i) retirement for disability or length of service with attendant pension payments under any City employee pension system; or (ii) death.

The sum deposited into the VEBA Account shall be calculated at the employee's regular classification rate of pay effective at the time of retirement or death.

B. An employee shall qualify for a deposit into a VEBA Account pursuant to subsection A of this section if the following three criteria are met:

1. a. The employee is not a member of one of the City's collective bargaining units at the time of retirement or death, or
- b. If the employee is a member of a duly selected collective bargaining unit at the time of his or her retirement or death, the employee shall qualify for a deposit into a VEBA Account only if, at the time of the employee's retirement or death, a valid collective bargaining agreement confers upon the employee the right to a VEBA account; and



2. The employee shall qualify for a deposit into a VEBA Account only if the VEBA Account deposit is a reasonable and equitable substitute for the cashout payment under Section 1.12.230D.1 which was in effect immediately prior to the effective date of the ordinance codified in this section; and

3. The total sum due to the employee is \$100.00 or greater.

C. In addition to VEBA benefits for which an employee may be eligible under subsections A and B above, the City shall deposit \$250.00 per month into an individual VEBA Account for each employee represented by the Tacoma Police Management Association, Local 26, who is also an LEOFF II pension system member, per the collective bargaining agreement; provided, however, contributions for employees who become represented by said bargaining unit after May 21, 2001, will be made beginning the first full month following an employee's permanent appointment to a classification represented by the bargaining unit.

D. In addition to VEBA benefits for which an employee may be eligible under subsections A and B above, the City shall deposit \$250.00 per month into an individual VEBA account for each employee represented by the Professional Public Safety Management Association, who is also a LEOFF II pension system member, per the collective bargaining agreement.

~~D~~E. In addition to VEBA benefits for which an employee may be eligible under subsections A and B above, beginning in 2022, the City shall also deposit into a VEBA Account a sum equivalent to 50 percent of the Personal Time Off ("PTO") accruals for a nonrepresented employee as long as the following criteria is met:

1. The employee must be separated from the City service due to (i) retirement for disability or length of service with attendant pension payments under any City employee pension system; or (ii) death.

The sum deposited into the VEBA Account shall be calculated at the employee's regular classification rate of pay effective at the time of retirement or death.

2. This subsection is in effect each year unless there is a request, by at least 20 percent of employees eligible to retire in the next calendar year, to vote to suspend the VEBA deposit for the next calendar year only, which will be determined by a majority of the returned ballots. For 2022, such vote shall occur in 2021 following City Council approval of this subsection.

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Section 3. That Section 1.12.230 of the TMC is hereby amended, and effective as provided by law, to read as follows:

**1.12.230 Sick allowance with pay.**

\* \* \*

D. Payments for Nonuse of Sick Leave Accruals.

1. An employee separated from the City service due to death or retirement for disability or length of service with attendant pension payments under any City employee pension system who does not qualify for a VEBA deposit under TMC Section 1.12.229 shall be compensated at a rate for the classification in which he or she was working on the date of separation to the extent of 25 percent of accrued sick leave hours.

a. An employee separated from the City service due to retirement, and represented by the Tacoma Fire Fighters Union, Local 31, shall receive a contribution into a qualified Health Reimbursement Arrangement in the amount of the sick leave payment in lieu of a cash payment, when properly authorized annually by Local 31.



b. An employee separated from service due to death or retirement for disability or length of service, and represented by the Tacoma Fire Fighters Union, Local 31, will be compensated for nonuse of sick leave accruals per the terms of the collective bargaining agreement.

c. An employee separated from the City service due to retirement, and represented by the Professional Public Safety Management Association, will be compensated for the nonuse of sick leave accruals per the terms of the collective bargaining agreement.

\* \* \*

Section 4. That Section 1.12.355 of the TMC is hereby amended, and effective retroactive to January 1, 2024, to read as follows:

Code	A	Job Title	1	2	3	4
0764	A	Fire Chief, Assistant	<u>99.24</u>	<u>104.20</u>	<u>109.41</u>	<u>114.88</u>
0765	A	Fire Chief, Deputy	<u>106.69</u>	<u>112.02</u>	<u>117.62</u>	<u>123.50</u>
0770	A	Police Chief, Assistant	<u>105.92</u>	<u>111.22</u>	<u>116.78</u>	<u>122.62</u>
0771	A	Police Chief, Deputy	<u>113.87</u>	<u>119.56</u>	<u>125.54</u>	<u>131.82</u>

Code	A	Job Title	1	2	3	4
0764	A	Fire Chief, Assistant	<u>103.70</u>	<u>108.88</u>	<u>114.32</u>	<u>120.04</u>
0765	A	Fire Chief, Deputy	<u>111.48</u>	<u>117.05</u>	<u>122.90</u>	<u>129.04</u>
0770	A	Police Chief, Assistant	<u>112.81</u>	<u>118.45</u>	<u>124.37</u>	<u>130.59</u>
0771	A	Police Chief, Deputy	<u>121.27</u>	<u>127.33</u>	<u>133.70</u>	<u>140.39</u>

Section 5. That Section 1.12.355 of the TMC is hereby amended, and effective as provided by law, to read as follows:

Code	A	Job Title	1	2	OT Cat
<u>4017</u>		<u>Fire Marshal</u>	<u>81.67</u>	<u>85.77</u>	<u>D</u>

Section 6. That Section 1.12.640 of the TMC is hereby amended, and effective as provided by law, to read as follows:

**1.12.640 Application of additional rates.**

\* \* \*

PPSMA. An employee represented by the Professional Public Safety Management Association and covered by the LEOFF II retirement system shall receive an additional one-half of 1 percent (.5 percent) applied rate. Employees in classifications represented by the Professional Public Safety Management Association are not eligible for longevity pay.

~~PPSMA. An employee represented by the Professional Public Safety Management Association and actively employed as of the date of Union ratification of the 2021-23 collective bargaining agreement, shall receive a one-time, lump sum payment of \$400.~~

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Section 7. That Sections 1, 2, 3, 5, and 6 are effective as provided by law.

That Section 4 is effective retroactive to January 1, 2024.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Deputy City Attorney