

**2005-2011
Memorandum of Understanding
Between
The City of New York
And
The Sergeants Benevolent Association**

MEMORANDUM OF UNDERSTANDING made this 2nd day of July, 2007 ("2005-2011 SBA MOU") by and between the Sergeants Benevolent Association ("Union") and the City of New York ("City")

WITNESSETH

WHEREAS, the undersigned parties desire to enter into a collective bargaining agreement, including this Memorandum of Understanding, for the period of June 1, 2005 through July 31, 2011, modifying the collective bargaining agreement between the City and the Union that expired on May 31, 2005 to cover employees represented by the Union ("Employees").

WHEREAS, the undersigned parties intend this 2005-2011 SBA MOU to cover all economic matters including wages, duty schedules, and work rule modifications, and to incorporate the terms of this 2005-2011 SBA MOU into an Agreement covering the period of June 1, 2005 through July 31, 2011.

NOW, THEREFORE, it is jointly agreed as follows,

1. Term

The term of the Agreement shall be from June 1, 2005 through July 31, 2011.

2. Continuation of Terms

The terms of the predecessor collective bargaining agreement shall continue, except as modified pursuant to this 2005-2011 SBA MOU and attached side letters.

3. Wages

- a. Effective June 1, 2005, incumbent Employees shall receive a general wage increase of three percent (3%).
- b. Effective June 1, 2006, incumbent Employees shall receive a general wage increase of three and fifteen hundredths percent (3.15%).
- c. Effective June 1, 2007, incumbent Employees shall receive a general wage increase of four percent (4%).

- d. Effective June 1, 2008, incumbent Employees shall receive a general wage increase of four percent (4%).
- e. Effective August 1, 2009, incumbent Employees shall receive a general wage increase of four percent (4%).
- f. Effective August 1, 2010, incumbent Employees shall receive a general wage increase of four percent (4%).
- g. The increases provided for in Section 3 shall be calculated as follows:
 - i. The general increase in Section 3 (a) shall be based upon the base rates (including salary or increment salary schedules) in effect on May 31, 2005.
 - ii. The general increase in Section 3 (b) shall be based upon the base rates (including salary or increment salary schedules) in effect on May 31, 2006.
 - iii. The general increase in Section 3 (c) shall be based upon the base rates (including salary or increment salary schedules) in effect on May 31, 2007.
 - iv. The general increase in Section 3 (d) shall be based upon the base rates (including salary or increment salary schedules) in effect on May 31, 2008.
 - v. The general increase in Section 3 (e) shall be based upon the base rates (including salary or increment salary schedules) in effect on July 31, 2009.
 - vi. The general increase in Section 3 (f) shall be based upon the base rates (including salary or increment salary schedules) in effect on July 31, 2010.

4. New Promotee Schedule

Sergeants hired on/after April 1, 2006 (Effective July 1, 2008)

Year 1	\$73,000
Year 2	\$73,500
Year 3	\$74,000
Year 4	\$75,190
Year 5	\$87,798

5. Additional Compensation Funds

Effective July 1, 2008, the following recurring benefits will increase accordingly:

- a. Health and Welfare Contributions will increase by \$170 for all retired members.

- b. Longevity payments at the 5, 10, 15 and 20 year steps will increase by \$460.

Effective September 1, 2010, the following recurring benefits will increase accordingly:

- c. Health and Welfare Contributions will increase by \$80 for all retired members.
- d. Longevity payments at the 5, 10, 15 and 20 year steps will increase by \$600.
- e. Longevity payments at the 15 and 20 year steps will increase by \$1000
- f. Annuity Fund contributions will increase by \$261 for all active members.

6. Labor-Management Committee

There shall be a labor-management committee established to study the equipment needs of first responders, including but not limited to, to the equipping of all members with powered-air gas masks.

7. Pending Litigation

- a. The Union agrees to withdraw or discontinue, with prejudice, the following cases and/or actions:

NYPD OLR ComLog #2006-00740 (LODI Prescription Drugs)

- b. The Union agrees to withdraw funding and support of the following:

Jurgensen v. City of New York, et. al. (Index No. 103536/07)

- c. The Union agrees to stipulate to the dismissal of its claims asserted against the City in 04 Civ. 06865 with prejudice and without cost. This stipulation shall have no effect on the claims asserted by other plaintiffs in this action.

8. Ratification

The terms of this 2005-2011 SBA MOU are subject to agreement by the City and ratification by the Union.

WHEREFORE, we have hereunto set our hands and seals this 9th day of July, 2007.

FOR THE CITY OF NEW YORK

BY: James F. Hanley
James F. Hanley
Commissioner of Labor Relations

FOR THE SERGEANTS BENEVOLENT
ASSOCIATION

BY: Edward Mullins
Edward Mullins
President



THE CITY OF NEW YORK
OFFICE OF LABOR RELATIONS
40 Rector Street, New York, NY 10006-1705
<http://nyc.gov/olr>

JAMES F. HANLEY

Commissioner

PAMELA S. SILVERBLATT

First Deputy Commissioner

Sergeant Edward Mullins
President
Sergeants Benevolent Association
35 Worth Street
New York, New York 10013

Re: DUTY CHARTS

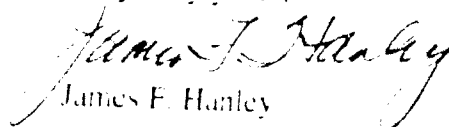
Dear Sergeant Mullins:

The City and the Sergeants Benevolent Association ("SBA") acknowledge that an Administrative Law Judge of the New York State Public Employment Relations Board in Case No. DR-119 (dated May 3, 2007) held that the subject of duty charts, as outlined in 1(d) of Chapter 143 of the Unconsolidated Laws, is a prohibited subject of bargaining. The City and PBA are appealing that determination and other unions have been granted permission by PERB to file amicus briefs.

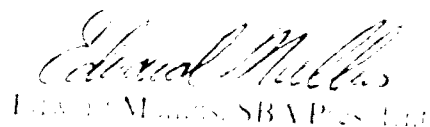
The parties agree to continue in status quo pending a final and binding decision on that issue by PERB or a court of competent jurisdiction, and all appeals thereto, on the legal challenges to that decision. In the event the determination in DR-119 that duty charts are a prohibited subject of bargaining is affirmed, the parties will jointly support legislation to ameliorate the effect of the decision.

If the above conforms to your understanding, please execute the signature line below.

Very truly yours,


James F. Hanley

AGREED AND ACCEPTED ON BEHALF OF SBA


Edward Mullins, SBA President



THE CITY OF NEW YORK
OFFICE OF LABOR RELATIONS
40 Rector Street, New York, NY 10006-1705
<http://nyc.gov/olr>

JAMES F. HANLEY

PAMELA S. SILVERBLATT

Sergeant Edward Mullins
President
Sergeants Benevolent Association
35 Worth Street
New York, New York 10013

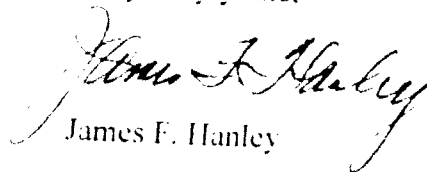
Dear Sergeant Mullins:

This is to confirm the understanding between the City of New York ("City") and the Sergeants Benevolent Association ("SBA") regarding Sergeants assigned to Special Assignment ("SA") or as Supervisors of Detective Squads ("SDS").

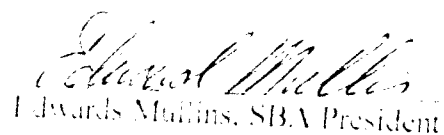
Effective August 1, 2007, the City shall increase the current number of budgeted positions for SA and SDS assignments by 4.92% of the current SBA bargaining unit.

If the above conforms to your understanding, please execute the signature line below.

Very truly yours,


James F. Hanley

AGREED AND ACCEPTED ON BEHALF OF SBA


Edward Mullins, SBA President



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First Deputy Commissioner

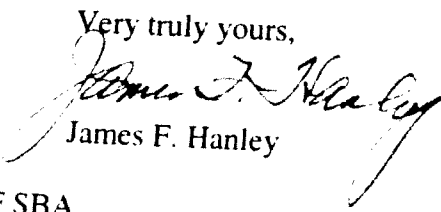
Sergeant Edward Mullins
President
Sergeants Benevolent Association
35 Worth Street
New York, New York 10013

Dear Sergeant Mullins:


If another uniformed collective bargaining unit has an adjustment made to their salary schedule through the collective bargaining or arbitration process or otherwise during the time period covering June 1, 2005 through July 31, 2011, which results in a greater percentage wage increase, then, at the SBA's request, this agreement will be reopened for the purposes of negotiating the effect of that adjustment – through the final steps of the bargaining process.

If the above conforms to your understanding, please execute the signature line below.

Very truly yours,


James F. Hanley

AGREED AND ACCEPTED ON BEHALF OF SBA


Edward Mullins, SBA President