



Fraternal Order of Police

The Voice of Our Nation's Law Enforcement Officers®

**National Fraternal Order of Police
Labor Program**

**Special Report to
FOP Board of Directors
September 2006**

Labor Services Committee

Tim Mullaney, Chairman

**NFOP Labor Program Special Report
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**Special Report to
FOP Board of Directors
September 2006**

National Labor Program

**Labor Services Committee
Tim Mullaney, Chairman**

This special report is submitted pursuant to the direction of the NFOP provided at the Board of Directors Spring 2006 meeting:

- The following motion was passed by the Board of Directors. “The Future Planning Task Force Committee recommends that the Board direct the Labor Committee to develop a National Labor Program, including the costs associated to implement it, and a time frame to make it operational and to present its report to this body at the 2006 Fall Board Meeting.” So moved by Vice President Hiller. Seconded by Trustee Hagler (NC). Motion carries.

- President Canterbury referred the report of the Federal Officers committee to the Labor Committee.

The committee has reviewed the concept of a National Labor Program, including the costs and timeframes needed to implement such a program. The committee has also reviewed the labor services currently provided by the NFOP and the input solicited and received from FOP leaders. It is the committee’s belief that the NFOP, with the establishment of the labor services office in 2001, has already launched and is administering a full service national labor program. However, the NFOP needs to increase staff and develop a marketing plan for our labor services. It is the unanimous consensus of the NFOP labor committee that the Labor services office should be expanded and that the labor program should, at least, include the following:

Goal:

The goal of NFOP labor services is to ensure that every law enforcement officer in our nation has the right to collectively bargain with her/his employer and that an FOP labor entity is the bargaining agent.

Delivery of services:

The services shall be offered in the following manner:

- a) Lodges and FOP labor entities are eligible to purchase the services
 - i) Service by service (ala carte)
 - ii) By agreement for a number of services up to and including all of the services.
- b) Services shall be sold only to:
 - i) Units of law enforcement officers, the majority of whom are FOP members
 - ii) Non-sworn law enforcement agency personnel who are employed by an agency where the FOP is the bargaining agent.
- c) The cost for service shall be negotiated with the lodge or labor entity. The cost shall be based on the cost to the NFOP to deliver that service or group of services.

Structure:

The committee has evaluated options for our organization to best deliver labor services. The committee does not believe a restructuring of the NFOP is necessary or appropriate. Further, the committee does not believe the NFOP should form a separate Corporation for labor services. The NFOP has a Labor Service Division that has been in existence and expanding since 2001. The further expansion of this division provides the NFOP the best structure to deliver labor services. (Please see page 10)

When the NFOP is contacted by a group of law enforcement officers who desire services from the NFOP:

- a) Determination will be made of their membership or nonmembership in the FOP
 - i) If they are not FOP members the majority must become members of the lodge, in their area, or formed into a new lodge.
 - ii) If they are FOP members we will make contact with the lodge to determine if the lodge desires to be the bargaining agent for this group of officers.
 - iii) If they are a portion of the membership of a lodge and the lodge does not want to represent them, then we will work with them to form a new lodge or create a labor entity.
- b) A service agreement that spells out the services and costs will be signed with the lodge or labor entity.

Services will include:

1. Obtaining right to serve as Bargaining Agent
 - a. Organizing & Representation
 - i. Decertification/Certifying
 - ii. Initiative petitions
2. Contract Negotiations
 - a. Research
 - b. Economics
 - i. Health care coverage advice and evaluation
 - ii. Pension advice and evaluation
 - iii. Financial Analysis
 - c. Training
 - d. Sitting at table
 - e. Ratification
3. Contract Administration
 - a. Grievance resolution
 - b. Arbitration/mediation services
 - c. Expert services
 - d. Meet and confers (changes to contract or reopeners)
4. Legislative
 - a. Collective bargaining
 - b. Drafting & creating
 - c. Lobbying
 - d. Research
 - e. Enhancing current laws
 - f. Interpreting existing laws
 - g. PACS
5. Legal (include cost of NFOP legal defense)
6. Research
 - a. Case law research
 - b. Comparables
 - c. Local and state laws
 - d. Other contracts
7. Other
 - a. Additional services requested
 - b. Labor management issues such as:
 - i. Grants
 - ii. Officer safety
 - iii. Quality of life issues

Staffing:

The committee recognizes that to have a successful labor program that is capable of delivering the quality of service to our membership you must hire and retain sufficient, knowledgeable staff. The 7 current labor service staff must be supplemented with additional staff, if we are to deliver the services our members have requested and need.

The committee believes that we must, as soon as possible, hire:

- a) An in-house associate counsel for labor
- b) An additional Field Representative to focus on Federal Officer issues.
- c) An additional Field Representative. This representative would work with State and Local lodges. With this additional representative, we will assign each of our field representatives to one the three regions of the nation to market the labor program (please see page 12).

The committee believes that, in the near future, we will need to hire:

- a) An accountant who can evaluate governmental finances.
- b) Two organizers so we can target specific agencies currently not represented by the FOP.
- c) Additional staff as requests for service require.

The committee strongly believes that in order to attract and retain the appropriate staff, the NFOP will have to provide compensation comparable to that provided by other unions (please see page 11).

Usage of services:

The committee contacted FOP leaders around the country. There is a significant desire for an expanded NFOP role in labor. The specific services desired vary significantly from lodge or labor entity. The services most anticipated are the ability to have NFOP provide full service and have qualified staff evaluating the financial condition of governmental agencies. These would be used by large lodges and labor councils to very small lodges.

Time Frames:

The committee believes that the NFOP could be in position to offer all services by February 1, 2007. In order to meet this timeframe, the NFOP

needs to start preparing immediately. The actions that need to be taken to set up the program are:

- a) Hiring and equipping the three additional staff.
- b) Drafting of service agreements.
- c) Development of a marketing plan.
- d) Determination of other resources available on a contract basis.

Costs:

The committee believes that this expanded program will become self-sustaining within 3 - 5 years. Until such time the NFOP will need to provide a financial subsidy. This method was used by most of the successful labor councils when they first started.

Competition of NFOP with other FOP entities:

The committee recommends that the NFOP not compete with FOP lodges and FOP labor entities who are labor service providers. If the NFOP is contacted by members who are unhappy with their current FOP labor services, the NFOP should contact the entity with the problem and work with them to resolve the problem. The committee defines a FOP labor service provider as one who provides, at least the following:

- a) Demonstrate the ability to organize
- b) Have trained Unit representatives (trained in both negotiations and contract administration);
- c) Insurance:
 - a. Bonding
 - b. Errors and omissions coverage
 - c. Liability
- d) Must have trademark agreement, if required, that sets forth these conditions and subjects the entity to a "compliance procedure" that includes timelines for adherence and remediation.
- e) Demonstrate that they are an established labor entity
- f) Clear delineation of what services they provide

- g) Provide a written policy which contains the process by which negotiations and ratification are handled. In addition, provide the written policy which describes the process the entity must comply with to change the negotiations and ratification policy.
- h) If a state or local law governs bargaining and ratification process, provide a copy of that law.
- i) Demonstrate how they qualify to be a bargaining agent, in their jurisdiction.
- j) Participate in labor management meetings
- k) Respond to critical incidents (if applicable in its jurisdiction)
- l) Plan for handling impasse
- m) Provide their communication plan and process (newsletter, etc.) with its members
- n) Provide copies of their money handling procedure. Must have an annual audit conducted. A copy of the audit should be provided to NFOP.
- o) Properly organized as a business entity (corporation, subordinate committee, etc.)
- p) Process for dealing with disgruntled members

The committee does not want to see law enforcement officers represented by other unions. The NFOP should represent the members, if they are not represented by an FOP Labor Services provider and we are going to lose them to a competing organization.

Constitution and Bylaws:

The committee has conducted a review of the NFOP Constitution and Bylaws. The committee believes that no change will be required to enact this report.

Recommended motions:

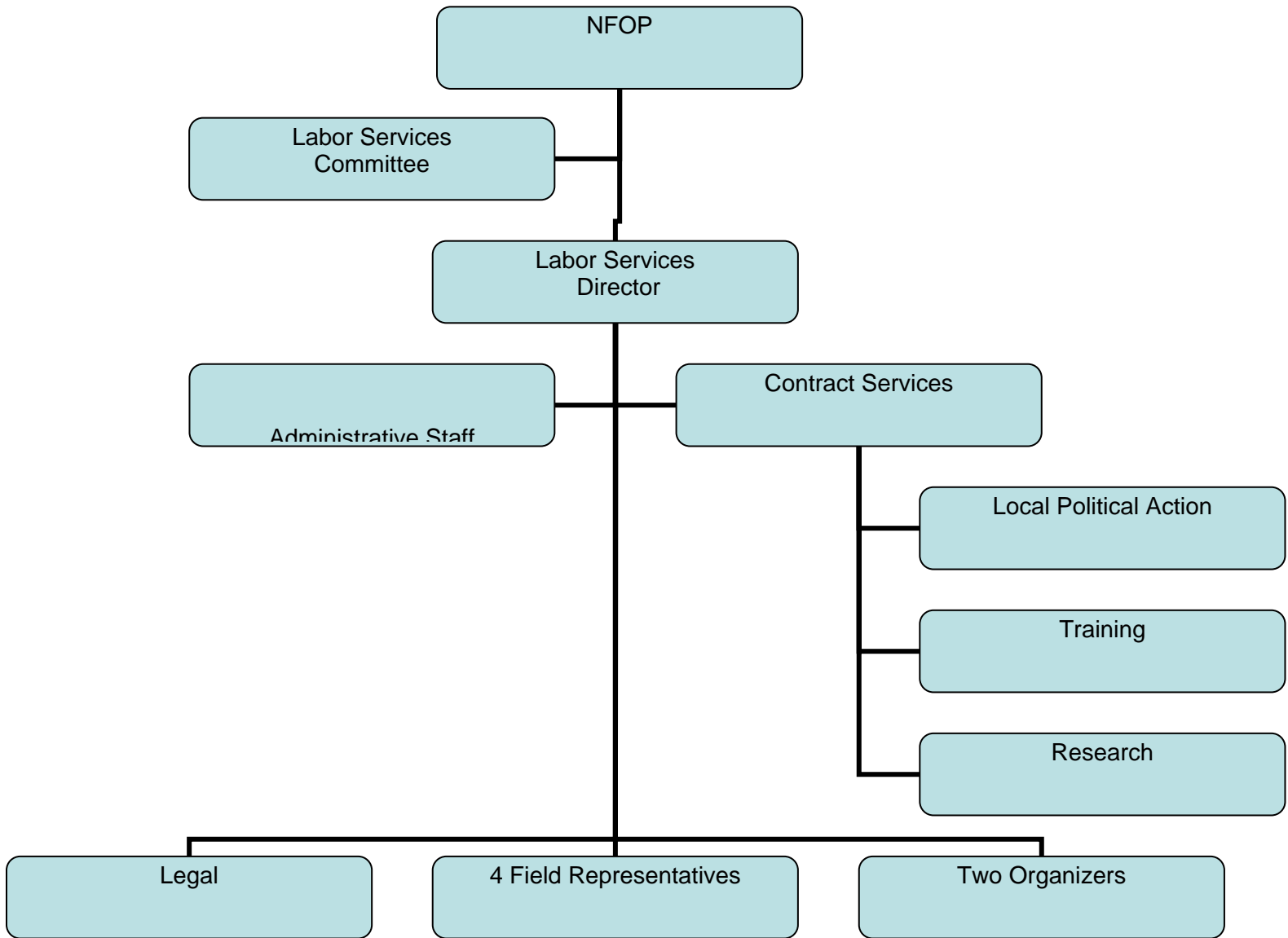
- 1. The committee recommends the hiring of three additional staff members, as soon as practical, two Field Representatives and one in-house associate legal counsel for labor. In addition, the NFOP Labor Services Division should hire additional staff, as**

needed, to provide for expanding the labor services to our members.

- 2. The committee recommends the identification of an FOP labor services provider, as outlined in the report in the section on Competition of NFOP with other FOP entities.**

Structure

The committee has evaluated options for our organization to best deliver labor services. The committee does not believe a restructuring of the NFOP is necessary or appropriate. Further, the committee does not believe the NFOP should form a separate Corporation for labor services. The NFOP has a Labor Service Division that has been in existence and expanding since 2001. The further expansion of this division provides the NFOP the best structure to deliver labor services.



Compensation provided by other unions:

Below are the salaries of other competing or comparable unions. The salaries do not include other forms of compensation, such as pension, healthcare, vacations, etc. The committee strongly encourages the NFOP to develop a competitive compensation plan to attract and retain NFOP staff.

	Director*	Field Rep (and equivalent/related positions) *	Associate Legal Counsel*
AFGE	111,343	76,586	92,245
IBEW	N/A	130,100	**
LIUNA	146,126	104,860	185,129
IAM	153,003	137,200	137,667
CWA***	112,956	102,096	117,670
UFCW***	122,449	96,047	141,654
IUPA	36,580	41,710	136,381
NAGE (IBPO)	N/A	60,297	71,997
average	113,743	93,612	126,106

Suggested Wage Range

100,000 - 140,000

70,000 - 90,000

100,000 - 175,000

*Please note the figures here represent the average salary each union pays individuals in each position. Average does not include very low figures that may have been part-time, temporary, or short term employees.

**LM-2 for this union does not distinguish between different types of Office Employees

***Salary averages are obtained from a random sampling of no more than 30 employees per category. Organization is too large for a complete listing here. See LM-2 for complete details.

Fees to be charged for labor services:

The services shall be offered in the following manner:

1. The NFOP shall continue to provide advice and initial guidance to lodges on labor issues without charge.
2. Lodges and FOP labor entities are eligible to purchase individual services:
 - a. Service by service (ala carte)
 - b. All expenses incurred to provide service
 - c. Staff time cost per hour
3. By agreement for a number of services up to and including all of the services.
 - (a) All expenses incurred to provide service
 - (b) Negotiated based on number of services and estimated time to provide a group of services.

Maps of law enforcement agencies nationwide and by region



Federal agencies: 90
State Agencies:407
County Agencies:3252
Local Agencies: 12,059

A complete breakdown of State and Local agencies across the Nation is available, from the Labor Service Office, but was not included in this report due to its length.

Eastern Region*

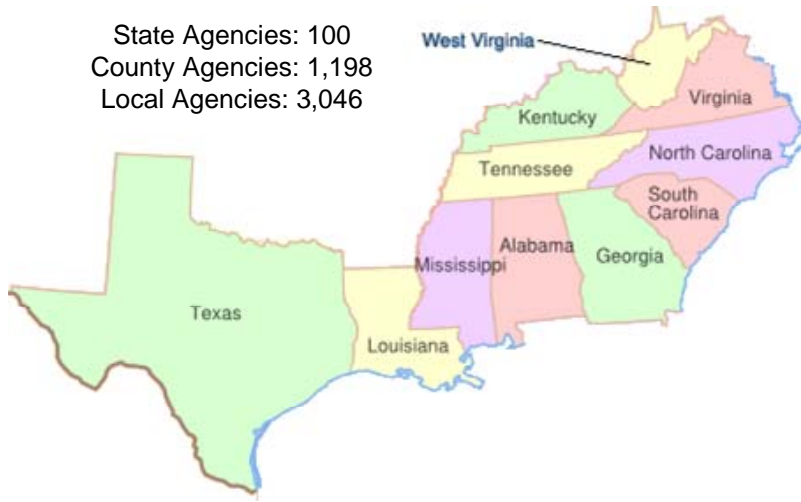


State Agencies: 151
County Agencies: 789
Local Agencies: 5,548

*Map includes states without a state lodge (Maine, New Hampshire, and Vermont) as well as the state of Wisconsin, which do not belong to the Eastern States Coalition.

Southern Region*

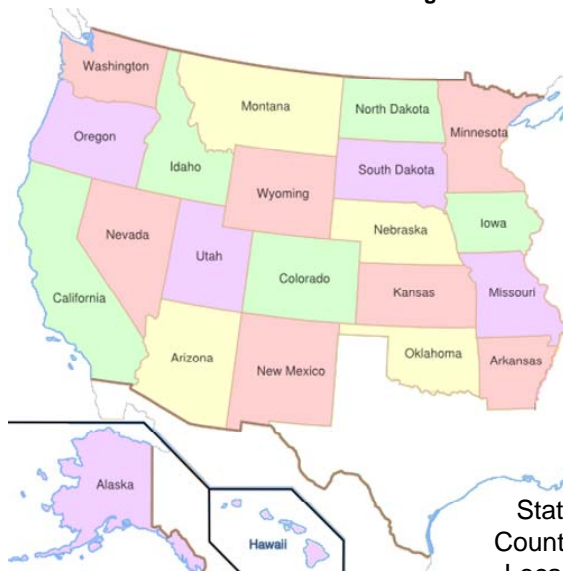
State Agencies: 100
County Agencies: 1,198
Local Agencies: 3,046



*Map includes the state of Texas which does not belong to the Southern State Coalition.

Western Region*

State Agencies: 156
County Agencies: 1,265
Local Agencies: 3,465



*Map includes states without a state lodge (Alaska, Hawaii, Oregon, Montana, and Iowa).

Labor Services Expansion Feedback Overview

The Labor Service committee has sought input from FOP leaders around the nation. Feedback was solicited from NFOP Board of Directors, State Presidents, State Labor Councils, and other FOP leaders of state and local lodges. The following is an overview of the activities of the committee and the feedback received. (The specific feedback from each member is attached.)

The Labor Services Committee has had numerous phone and email communications. In addition, the committee:

1. Sent out two questionnaires on April 14th:
 - a. One to the NFOP Board of Directors and all State Presidents.
 - b. One to the State Labor Council Directors
2. Met April 29th - May 1st to review the received input and to make preliminary determinations. (Please see the notes of this meeting)
3. Was tasked with contacting FOP Leaders around the country to solicit their input asking:
 - a. Would you use the services?
 - b. What else would you be interested in?
 - c. If you have a labor entity and its members ask for NFOP labor services should the NFOP provide the services?
 - d. What would you be willing to pay for the services?
 - e. Structure
 - f. Additional feedback
4. Met on June 10th with State Labor Council Directors.(see notes from this meeting)
5. Met on July 8th with the Federal Officers Committee. (see notes from this meeting)
6. Met on July 14-16th to determine the expansion of the labor services program and its recommendations. (see notes from this meeting)

The individuals responding to the study are from 32 States and 9 State Labor Councils. Of the 32 states responding, almost 91% (29 of 32 State Lodges) responded favorably to labor expansion. Of the 9 State Labor Councils, only one objected to the NFOP expanding labor services (the State Lodge in that particular State was in favor of the expanding labor services).

The committee has divided the country into three regions (please see attached maps.) Each of these regions desire expanded labor services from the NFOP. 11 out of 12 states responding within the Eastern Region, 5 of 6 states responding within the Southern Region, and 13 of 14 states responding within the Western Region would like some form of labor representation from the NFOP.

Would you use the services?

Most of the feedback received was not specific as to which service(s) they would use, but supportive of the entire list of services. However when specific services were mentioned, the requests were in the following order of popularity:

1. contract negotiation assistance
2. assistance attaining collective bargaining rights
3. legislative / lobbying assistance
4. research
5. legal assistance
6. training
7. contract enforcement, grievance programs
8. healthcare
9. financial advice
10. information exchange
11. contract administration training
12. organizing assistance
13. marketing
14. pensions
15. e-mail labor updates

If you have a labor entity and its members ask for NFOP labor services should the NFOP provide the services?

The individuals were asked about what procedure should be followed when a member asks the NFOP for assistance. The general feeling was that the state should be advised before any services are provided (current NFOP practice).

- Ten states indicated that the NFOP should be free to assist members with varying levels of participation from the states.
- Five states felt that the state should take the lead whenever a member needs assistance with the NFOP assisting at the request of the state.

What would you be willing to pay for the services?

Suggestions for initial funding ranged from grants from the NFOP to joint ventures between the National and the State Lodges.

- Recommendations about fees and funding vary widely.
- No clear majority opinion was represented, however suggestions included a monthly fee for full service, ala carte fees for specific services, and cafeteria plans.

Staffing

Opinions on staffing also varied, although emphasis was placed on hiring people with a lot of experience.

Structure

It is felt that labor should be part of the NFOP structure and not be a separate corporation.

Additional Feedback

Two State Labor Council Directors stated that they would turn their entire member base over to the NFOP if the NFOP develops a viable program. One State said they will reevaluate their labor council after the national is established. From these initial communications 35 entities (state and local) and 6 labor councils said they would be willing to purchase labor services from the NFOP. They said they would welcome the help.

According to the Federal Officers Committee, the federal officers that are a possibility right now, without extensive organizing efforts, are Fish and Wildlife, Federal Reserve, and DOD. In the future the CBP (currently with NTEU) and FPS (currently with AFGE) have expressed significant interest to be represented. This is about 3000-5000 officers with minimal efforts, and many more with extensive efforts.

DC President Cannon estimated that 6 of the DC Labor Committees would buy services, if the NFOP offered these services.

The NFOP Member Recruitment Chairman believes that with this expansion we could quickly gain lodges in states that do not currently have State Lodges.

If Labor Services were to expand, would your state use these services?

	Yes	No
Alabama	X	
Arizona	X	
Arkansas	X	
California	X	
Colorado	X*	
Connecticut	X	
Delaware	X	
Florida	X	
Georgia	X	
Illinois	X	
Indiana		X
Kansas	X	
Louisiana	X	
Maine	X	
Massachusetts	X	
Michigan	X	
Minnesota		X
Missouri	X	
Nevada	X	
New Jersey	X	
New Mexico	X	
North Dakota	X	
Ohio	X	
Oklahoma	X	
Pennsylvania	X	
Rhode Island	X	
South Dakota	X	
Texas	X*	
Utah	X	
Virginia	X	
Washington	X	
West Virginia		X
Total	29	3

*Indicates that President is in favor, but Labor Council may have reservations

What labor services should the NFOP provide?

<i># of states</i>	<i>Service</i>
10	Contract Negotiation Assistance / Serve as Bargaining Agent
9	Legal Assistance
9	Legislative Assistance (including local)
8	Attaining Collective Bargaining Rights
8	Research
8	General Training (not specified)
7	Healthcare Expertise
6	Grievance Program / Internal Affairs / Mediation Services
5	Information Exchange / FOP Info website
4	Financial Expertise
3	Marketing Expertise
4	Organizing Assistance
3	Contract Enforcement
3	Pension Expertise
2	Contract Administration Training
1	E-mail Labor Updates
1	Financial Auditing of Employers

<i># of respondents</i>	<i>Service</i>
12	Contract Negotiation Assistance / Serve as Bargaining Agent
11	Attaining Collective Bargaining Rights
11	Legislative Assistance (including local)
11	Research
10	Legal Assistance
8	General Training (not specified)
8	Grievance Program / Internal Affairs / Mediation Services
8	Healthcare Expertise
5	Financial Expertise
5	Information Exchange / FOP Info website
5	Contract Administration Training
4	Organizing Assistance
3	Marketing Expertise
3	Pension Expertise
3	Contract Enforcement
1	E-mail Labor Updates
1	Financial Auditing of Employers

If you have a labor entity and its members ask for NFOP labor services should the NFOP provide the services?

<i>State</i>	<i>Yes/No</i>	<i>Comment</i>
Alabama	Yes	Bill Davis saw no conflict with having both a National and State Labor Council and felt that the National should have oversight authority over the State.
Arizona	Yes	At first Bill was not too keen on the National competing with them and could see where the National would be able to offer services for less money which would pull members from their labor council. Once he saw where the committee was heading and that the states that have labor councils would be contacted by the National when contacted by someone in their state. That the goal would be to keep or get new members and only if the National Labor Council was the only way to do that then that was better than losing them to some other organization.
Florida	No	National should run the show if the local lodge wants help, however if the state already has a labor council, National should take the position that they should stay with the labor council.
Illinois	Yes	One time shot, go to state lodge either they are in or out, if the state is out the NFOP is in.
Indiana	No	Tim stated that Indiana does a strong labor program and does not want the Grand Lodge competing with it.
Louisiana	Yes	Pat would like to see a National Labor Council. Their State Labor Council could either assist in areas the National Labor Council could not service or did not provide that specific service. He is very guarded as to what a National Labor Council can do on a local level, thus will not eliminate the State Labor Council. He strongly believes that the State and National Labor Councils should not duplicate services.
Michigan	No	We could not foresee the need for the Grand Lodge to provide any direct representation in Michigan and would not welcome the competition.
Minnesota	No	Gary stated that they have a good relationship with other statewide police labor groups. Gary feels that if the Grand Lodge came into Minnesota with a labor program it would actually lower their fraternal membership.
Nevada	Yes	
Ohio	Yes	There are some potential conflicts concerns. Should be available only if there is no other option for representation.

Oklahoma	Yes	Didn't feel that the National was going to be a problem for them.
Pennsylvania	Yes	NFOP should help lodges requesting assistance if a state lodge cannot provide the resources
South Dakota	Yes	I think to a point, yes. If it's a legal decision that our NFOP Labor Service knows or can easily obtain then yes. If it's for legal support for an ongoing issue or for negotiation work, no, that would need to be paid for.
Washington	Yes	He does not feel the National would be competing with them because they offer more of a support to their coalition members in the help of arbitration than in contract negotiations. He liked the idea that the National would contact the states that have labor councils when contacted by someone in their state. He agrees that it would be better to keep or get new members if the contacting group didn't want to be part of the State Council, for them to go with the National's Labor Council.
West Virginia	No	President Walker strongly believes that if the Grand Lodge does form a Labor Council that there must be an understanding that the activities of the Labor Council must be coordinated with the West Virginia State Lodge. He believes the activities of one could conflict or complicate matters for the others.

How should such services be funded?

<i>State</i>	<i>Fee?</i>	<i>Comment</i>
Alabama	Annual fee per service	When asked about funding Bill Davis felt strongly there are "no free rides and members should pay for what they get". When asked about a fee structure, he feels an annual fee for each service picked from the menu would be the best system. He did not think an hourly arrangement would work.
Arkansas		The opinion on funding & staff was the service should be handled by a committee and members should draw expenses. The total cost of the assistance should be covered by the subordinate lodge. If the subordinate lodge can not afford the expense, the NFOP should cover the expenses and transfer the total in the form of a grant to the State Lodge to allow time for the subordinate lodge to reimburse the NFOP through the State Lodge
California	\$38, % of salary, or hourly	Cost to be in the plan looks like it would be about \$38.00 but may look at a % of top step salary or maybe even an hour rate much like the teamsters do. We are not sure on this one yet.
Delaware	Monthly	
Florida		It should be funded thru the Nat'l Labor dues and the Nat'l Executive Board and Trustees
Illinois		-Funding has to be right from the beginning. -Fees should be charged based on level of services provided to individuals
Indiana	fee for service	
Kansas		National Lodge with possible reimbursement from the state / local lodges.
Louisiana		He strongly related that if there is to be a National Labor Council, it would not be paid for out of existing revenue sources without hurting existing programs. While he suggested that there could/should be some subsidy at first, it would have to quickly become self-sufficient
Massachusetts	From dues	Payment for services provided should be a portion of dues similar to their current structure. (I.E. current dues are \$20 per pay)

Michigan	fee for service	Services currently provided are funded in the current budget. If additional funds are needed they should be addressed by the body as a proposal for an increase in per-capita. Services to individual groups (federal officers) should be funded by that/those entities. If there is seed money needed, a loan could be approved by the board.
Nevada	\$25/month	\$25/month per member for full service
	Multi-tiered	This could be funded similar to the legal defense plan with layers of representation at different costs to the members
New Mexico		There are a number of funding models that should be employed. For example, a combination of Per Capita Dues Increase, Service Fees, and Training Fees should be implemented. Clearly, a strategy should be developed to improve the quality and delivery of labor services. This will require a review of FOP priorities and thus a redirection of resources. Consideration should also be given to level of staffing and location.
North Dakota		We feel that funding would need to be a joint venture. States would have to fund their share, perhaps on a sliding scale, depending on their financial status and means. We feel that the experts are in the states, which have strong labor laws, and from those that have already invented the wheel. We are asking for their assistance, so we may all enjoy the right to have a say in our work environment. The state team would organize and do the legwork. We feel that most of the work could be conducted via e-mail or phone calls, but feel there would be some joint meetings/events necessary.
Ohio	Per capita rates	Should get per capita increase, set different per capita rates for active (\$12/yr) versus retirees (\$10/ yr).
		Funding, money from NFOP to get started "everyone has to bite the bullet", be prepared to subsidize for 5-10 yrs.
		Should rates be same in all agencies, grandfather full services states that have Labor Councils.
		Should locals who do not use the services subsidize them?
		The funding will have to come from members, partially in way of a per capita increase to charging for specific services.
Oklahoma		If services are to be rendered in a form of a national labor council the participants must pay for it. The current per-capita is not enough to pay for these kinds of services.

		Each subordinate lodge that becomes a member of a national labor council must charge each member an amount to be determined by the staff of this labor council.
		Unless it is configured to where the benefits are substantially better and the cost is not significantly more I would seriously doubt that my state will be interested in joining a national labor council.
		Funding comes from seed money loans from the GLFOP and dues from the unions established. (We could look at established DC # 1 as the National Union and all entities would be under DC 1. Much like SEIU or NAGE or AFGE, etc. The DC Lodge status would rise considerably and our Constitution could allow for an additional vice president to be elected from the C5. That way we can require dues to go to GLFOP but it may eliminate dues to states, and eliminate federal local lodges (unless the federal local lodges elect to maintain their C8 status in the state of resident and then they would be required to pay state dues).
Pennsylvania		A loan or grant should be funneled through the state lodge for accountability and control. This promotes a chain of command where local lodge applies to the state lodge of all occasions except for special circumstances, similar to FL situation.
Rhode Island	"per member" fee	NFOP should provide services and payment should be based on a "per member" fee similar to legal plan.
South Dakota		It has to be 'affordable' yet practical.
		I think for full service, you'd need to pay \$10 or \$12 / member.
		For ala carte; I think \$2 per service / member would be fair OR, a flat fee of several thousand dollars for one service for the period of the event (for contract negotiations etc).
Texas		These should be partially funded by the NFOP and users fees provided by the lodge requesting the services.
Utah		I think that it should be funded by those that use it.
Virginia		It should be funded by sponsors and participants
Washington	\$0	\$0 for full service

	\$50/month	\$50/month for full service
	\$35/month	\$35/month for ala carte contract negotiations
West Virginia		Funding should be on an "as needed" basis.

How should such services be staffed?

<i>State</i>	<i>Comment</i>
Arkansas	The opinion on funding & staff was the service should be handled by a committee and members should draw expenses. The total cost of the assistance should be covered by the subordinate lodge. If the subordinate lodge can not afford the expense, the NFOP should cover the expenses and transfer the total in the form of a grant to the State Lodge to allow time for the subordinate lodge to reimburse the NFOP through the State Lodge
Delaware	The program should not be a separate corporation. It should be part of Labor Services.
Florida	Have to find qualified staff and pay them well.
Illinois	With qualified, trained, experienced full-time staff assigned regionally throughout the US and working a region of the US that they are from, familiar with, understand the culture, politics, can relate to the people.
Kansas	Utilize the national trustees and possibly the state presidents more. Train them so that they are sure to have the most up to date information and to make sure they are all on the same page. Coordinated through the labor services office.
Michigan	I believe that there is adequate staffing to provide current services, especially with the recent additions. Additional staffing needed to provide services to special/individual groups should be funded by those groups.
Nevada	These positions could be filled with the expertise that we have within our ranks.
New Mexico	Here too, several staffing models can be used to determine the number of staff needed to provide labor services. However, the level of staffing should be determined based on the mission, goals and objectives of national labor services office.
North Dakota	

	<p>We envision small political assessment teams made up of experts that could be assigned to a state, (not necessarily on site) to assist in/oversee the development/execution of a plan to gain labor rights. We feel that the National team should be members who have a background in political organization/strategy, lobbying, media relations and contract negotiations. Each state would also have a team whose responsibility would be working with the NFOP team and organizing the state's resources and executing the plan, which was developed.</p>
Ohio	<p>Each state lodge or local lodge seeks to become a labor representative lodge and should start a labor council, raise dues to trainees, negotiate contracts and to maintain those contracts once they are negotiated. Each lodge should maintain the fraternal aspect of the FOP and Labor Council if that is the services they intend to provide their membership. That's the future of the FOP or we shall see repeats of Nashville throughout the country. All of our lodges, local and state, should maintain a liaison with NFOP for information purposes to be shared with the membership. National needs staff to reorient and offer training seminars to state and local lodges. There should be more training at the National Conferences on contract negotiations and dealing with the media.</p>
	<p>Expecting members to provide these services for free outside of their lodges shouldn't be expected. Paid staff, be it members or non-members will be needed to be successful. The FOP should look at other labor organizations structure to see what parts might be a good fit for us. I also believe to achieve ultimate success a coordinated plan between labor and legislative, both local and national, should be drafted and implemented.</p>
Oklahoma	<p>The national labor council must hire reps, regionally, who can become familiar with the respective laws of each state. Each rep must be paid a salary that is to be determined, as well as travel and other expenses.</p>
	<p>A national executive director for a labor council who would then hire reps regionally to be able to provide for labor services within their immediate region.</p>
	<p>They would have their own staff. All required to belong to the National Legal Defense Plan. In house attorneys would assist the varying agencies. DC 1 does it now with labor councils for Corrections, Metro Police, Transit Police, etc. Simply add DOD Police, VA Police, Federal Protection Service, Customs and Border Patrol, etc.</p>
South Dakota	<p>I think the hardest part would be administration of the service. The Grand Lodge would probably have to hire a person or two to administer it, as well as possibly an attorney or two to do research, etc. We would also have to hire a 'crew' of people to travel around doing the services requested. Possibly it could be a rotating group of people so no body does it full time. For example, maybe if I knew for a month or so I was going to be doing this, I could take vacation and then the FOP would not necessarily have to pay my salary, but pay for expenses, etc. which would even out.</p>
Texas	<p>Our suggestion would be that national provide full time staff to facilitate the</p>

	“cafeteria style” of services mentioned above. A cost associated with each of those services for the lodge who receives the services. There is no need to establish another entity named a labor council as we have experienced many difficulties.
	I really don't see that there is a need for a National Labor Council if we provide the services at the National level and charge accordingly for the individual service.

Structure / Feedback / Additional Comments / Questions

	<i>Comments / Concerns</i>
*	Services should be offered in a cafeteria plan.
*	Local lodges may not want to use services
*	National Labor Council should target certain areas in the beginning and expand as time goes on.
*	The National Lodge is going to have to get more into the labor game or let's not call ourselves the largest law enforcement organization in the world any longer. They have got to expand but they have to be serious and provide the resources
*	National and Board are going to have to understand, we are going to have to pay competitive salaries to get top people in the field to come to work for them. This can't be run by volunteers.
*	Is this meant to compete with local Labor Councils or provide services for states that do not have their own Labor Council?
*	Protect the name and organization (trademark).
*	It would be a problem with the Grand Lodge interceding if either the state or local lodge objects.
*	The National should be set up as a committee, not a separate corporation.
*	I believe that the Grand Lodge should provide support services to the states as they do now. I do not believe they should get involved in individual representation.
*	

	The Grand Lodge should provide direct representation for any federal law enforcement group.
*	"A state at a time" approach would be able to focus both state and national resources while keeping manpower to a minimum. We hope that this approach could increase recruitment. As states begin to have success others will see that help is coming and hope is on the horizon and hopefully membership will grow as word spreads and success is seen. We see this, "state at a time," also as a potential problem of political infighting as to which state would be first. This is where we feel the National team should decide. This decision should be based on research by the National team as to where we are most likely to succeed. For the first few states we feel that's where the decision should be made. During this time, states should be in preliminary discussions with the National as to how to begin preparing themselves for when the National team comes to their state. This preparation should include, fund raising, political awareness, and membership growth. So when the National team contacts a state to discuss labor issues, that state should already have preliminary requirements completed.
	Bring administration of legal defense in house, training, recruiting and representation of legal defense should all be under Labor Services umbrella.
	Structure, fair share, why should dues be different for captain versus dispatcher
	Define a Labor Council
	The NFOP should notify the State Lodge if a request is from the subordinate lodge and the State Lodge should have representatives on site during contract negotiations.
	Who quality controls, determines method to resolve quality issues?
	Having Labor Services do contract negotiation would be beneficial in order to prevent possible retaliation toward local FOP members.
	PR value by not having lodges go to rivals
	How do you separate the fraternal big guys from Labor big guys? Must find a way to make sure little guy feels they have a say in direction.
	Indiana does a strong labor program and does not want the Grand Lodge competing with it. Tim stated he would rather that the Grand Lodge not expand their current labor program but would not stand in the way of it for other states.
	Small groups have asked about NFOP as a police officers union and Arnie Larson believes it would be the future in Massachusetts.

	By providing service to local lodges NFOP will assist with building membership.
	I am not convinced that offering Ala Carte services is feasible. It became feasible in the Legal Defense plan and was offered at that time. It might be wiser to begin the plan with full service and after it is established, offer Ala Carte services. I just don't want this plan to fail. I think it has been a long time coming and we absolutely have to make it work!
	I believe that letting people know we are a National Union would certainly be positive.
	Is this more cost effective than hiring our own staff?
	We believe the NFOP is making great strides to get federally mandated labor rights. The fact of the matter is that this is a slow process and the political climate can cause those efforts to suffer setbacks or derail at any given moment. Waiting for that to happen is not the answer. Many states, such as ours, refuse to address labor issues concerning law enforcement because we have no political clout and/or the expertise to address the issue. This allows for the erosion of pay, benefits and work conditions and leaves us with little hope of getting those issues addressed, let alone changed. It is here we would like to see the NFOP come into play.
	It almost becomes an east -- v -- west issue. The states in the East, and some in the West, who are labor states have been that way for years and years, if not always, and draw the focus of the NFOP. It is a way of life for them. Some states in the West however, haven't a clue about labor rights let alone how to get them. Those cities/states that have had success are few and far between and their success has been limited.
	The Blue Print to Success training in Denver, illustrated several things to us. While the course is very worthwhile, and gave us a lot of <u>insight</u> into labor issues, the ball was still fully in our court. The sense John had was "Here are some suggestions and ideas; good luck, let us know how things work out." Rather than; "We understand your problems and here is what <u>WE'RE</u> going to do." The point is, we feel we are only guessing at what may or may not work and what our best strategy may be to get us there. Our lack of experience, regardless of how well intentioned we are, will be and has historically been our downfall. We believe the NFOP should be attacking the labor rights issue state-by-state, working side by side with each state lodge to lobby and form strategy/plans rather than, "give us a call if you have questions and we will see what we can do." We feel the NFOP has the expertise and resources to assist us on many levels, be it lobbying, political strategy, campaign organization and associated media relations.
	NFOP should be a mediator, help the states so that they can try to fix the problem on their own. NFOP should try to develop an early warning system to determine when states need help. NFOP could have put someone on guard.
	This approach may turn the FOP on its head, change it from a bottom up to a top

	down organization.
	The discussion board on the NFOP website should be changed to be by subject.
	The National program needs to have its own leadership or be under the labor committee and that Director of Labor Services should support that new leadership or who ever will be in charge of the National Labor plan.
	I know state laws are different and some have to bargain for groups other than police, but all of the police groups should be FOP members. They should also be paying in to the National FOP Legal Defense, instead of the competitor.
	Certainly, I would be happy to look at any solutions the labor committee comes up with in dealing with the states that need assistance. I do not count my state with those who need this assistance and I certainly have lots of folks who can assist the Grand Lodge with any states who need the help.
	The current Labor Services section would continue to function for state, county and local government. Difficulties: 1) Maintaining the power of the Presidency over national unions. The only way is through affiliation agreements and use of our registered trademark which could be withdrawn. I don't think, but I am not sure, that the Board of Directors, or the GLFOP President, would have any control over the business of the federal unions. If there is a way to invent this, then let's do it. Other options: For the Grand Lodge and for its entities. Make a separate union C5 union for the Grand Lodge which would enable it to go into a local, county, or state election for bargaining agent and be the union for the local entity. This would address the Nashville situation. I believe that would be a separate union. Contact Steve DeNigris, he does a lot of federal work and can answer many of these questions or retain him to find the answers to these questions. Run all this by "our friends" at USDOL to see what they think.
	Due to the fact that a large number of State lodges already have Labor Councils a national labor council would only be duplicating their services. Also most of the State Lodge Labor Councils are stand alone corporations which some State Lodges have lost control of and have been forced to forcibly take back over the labor councils to protect the FOP name. For liability reasons a national labor council would probably need to be a separate corporation which could have the same problems if not carefully monitored.
	The state in which the service is offered should be part of the structure and have some input as that is who the local will look to in time of need.
	President Walker strongly believes that if the Grand Lodge does form a Labor Council that there must be an understanding that the activities of the Labor Council must be coordinated with the West Virginia State Lodge. He believes the activities of one could conflict or complicate matters for the others.

	He is in favor a National Labor Council and believes it should be governed by a 5 to 15 person board. He was unsure as to how that board should be formed.
	President Walker feels strongly that should a National Labor Council be formed, that it is going to have to target areas or cities before providing service nationally. He also believes there must be a "game plan to give" before services of a Labor Council are offered.

*Indicated concern was expressed by more than one respondent.

How was your labor council formed?

Arizona	In 1994 an Arizona State F.O.P. committee was formed to investigate the possibility of forming a labor council in Arizona. The committee agreed there was a need and advantage to have a labor council in Arizona through the F.O.P. and contacted the Ohio Labor Council. The Arizona Labor Council bylaws were modeled after Ohio's. (Bill Everson)
New Jersey	Separate 501.c5 corporate entity after Ohio model (Ed Giordano)
New Jersey	The NJ LC was formed 07/01/1996 similar to the Ohio LC. (Ron Bakley)
New Mexico	By state lodge (Dave Heshley)
Ohio	The F.O.P. Ohio Labor Council was formed as a committee of the Ohio State Lodge. When the collective bargaining bill passed in Ohio in 1983 the State FOP in Ohio wanted to be ready to provide labor services. (Cathy Brockman)
Washington	First we call our organization a Labor Coalition rather than a Labor Council. It is similar but a little different. I brought the idea of forming a labor coalition with the encouragement of Steve Young. (Jack Simington)

How was your start-up funded?

Arizona	A loan was obtained from the Arizona State F.O.P., which has been repaid (Bill Everson)
New Jersey	Originally, we charged \$15.00 per month/per member, which was under funded back then (Ron Bakley)
New Jersey	State Lodge, between \$100,000-150,000 (Ed Giordano)

New Mexico	By state lodge (Dave Heshley)
Ohio	Start up was funded by the Ohio State Lodge(Cathy Brockman)
Washington	Start up was through member organizations joining the coalition and paying \$10.00 per month per member dues (Jack Simington)

How long was your labor council subsidized, if at all?

Arizona	The loan was repaid within five years. No other subsidy was needed to fund the ALC (Bill Everson)
New Jersey	Still is subsidized by the State Lodge. (Ron Bakley)
New Jersey	Not drawing more anymore, 7 yrs.- pay down now (Ed Giordano)
New Mexico	1 year (Dave Heshley)
Ohio	FOP/OLC was subsidized for 3 years before we started paying back the loan from the State FOP. (Cathy Brockman)
Washington	Was not subsidized (Jack Simington)

How much was subsidized?

Arizona	\$5,000 (Bill Everson)
New Jersey	\$125,000. (Ron Bakley)
New Jersey	\$100,000-150,000 plus office space (Ed Giordano)
New Mexico	\$25,000 (Dave Heshley)
Ohio	The amount was \$100,000, plus approx. \$100,000 from in kind services (i.e. shared staff and equip.) (Cathy Brockman)

How are you structured?

Arizona	ALC members must be F.O.P. members, to include Associate members. Of the seven members executive committee, four are elected, one from a municipal agency, one from a county agency, one from a state agency, and one at-large. The remaining three members are appointed by the state F.O.P. president and vice president. Due to conflicts with the NLRB rules, the ALC is proposing to change the appointed members to elected members and create a new non-voting position appointed by the state F.O.P. president. There is no executive director at this time although the ALC drafted job requirements for the position and is currently accepting applications. (Bill Everson)
New Jersey	Structure: 7 Member Exec. Bd., 1 Full time Executive Director, 1 Full time Secretary, 1 Full Time Staff Rep/Research Person, 6 Part Time Staff Reps working on a per hour & expenses basis. (Ron Bakley)
New Jersey	Dues based (Ed Giordano)
New Mexico	Ex director runs it (Dave Heshley)
Ohio	The structure is Board, Executive Director, 2 Deputy Directors, Administrative Assistant, Attorneys, Paralegals, Staff Reps. (Cathy Brockman)
Washington	3 members of the State Executive Board and one member of each member organization over see the program as an Executive Committee. The EC Chair reports back to the State E-Board and the State Lodge Treasurer provides a quarterly financial report. We lock member organizations into a 4 year contract. (Jack Simington)

Did you use full or part time staff?

Arizona	When first formed, the executive committee volunteered to perform the duties of running the ALC Office. As the organization grew, we hired one full time office manager (Bill Everson)
New Jersey	Both, primarily part time (Ed Giordano)
New Mexico	Both (Dave Heshley)
Ohio	We use both full and part time staff. (Cathy Brockman)
Washington	Full time; State Lodge office manager oversees the financial part of the program. (Jack Simington)

How many current staff do you have?

Arizona	One office manager, but the ALC is in the process of hiring an executive director.
New Jersey	3 FT, 8PT (including benefit consultant), chief counsel, 2 alt council
New Mexico	6
Ohio	32
Washington	1

How do you compensate your staff?

Arizona	Since we will only have two full time employees, we will have different contracts with each employee to cover taxes, health benefits, and transportation issues (Bill Everson)
New Jersey	Executive Director is salaried, as is Secretary. All other Employees paid hourly. (Ron Bakley)
New Jersey	2 salaried plus 1 possible the rest hourly (Ed Giordano)
New Mexico	Hourly plus expenses (Dave Heshley)
Ohio	Our administrative staff all have personal services contracts. The other full time staff is covered by a collective bargaining agreement. Part time staff is not covered by the CBA but is paid an hourly rate that matches the rate(s) of full time staff based on seniority. (Cathy Brockman)
Washington	US Currency (Jack Simington).

Do you still use part time staff?

Arizona	Not at this time (Bill Everson)
New Jersey	Yes (Ed Giordano)
New Mexico	Majority of staff is part time (Dave Heshley)

Ohio	Yes, we still use part time staff(Cathy Brockman)
Washington	No (Jack Simington)

Do you have legal or other professional staff that is not staff representatives?

Arizona	We do not have attorneys as staff members. We contract with a law firm to administer our legal plan (Bill Everson)
New Jersey	Attorney is on retainer and paid on an as needed basis. No other legal staff (Ron Bakley)
New Jersey	Yes (Ed Giordano)
New Mexico	Yes, lawyers (Dave Heshley)
Ohio	Yes, we have administrative staff, Attorneys and paralegals(Cathy Brockman)
Washington	No (Jack Simington)

If yes, what positions?

Arizona	Our office manager is not a staff rep. The executive director will perform rep duties as part of his job assignment (Bill Everson)
New Jersey	Chief and alt council (Ed Giordano)

Are there services that the NFOP could offer that would be beneficial to your labor council?

Arizona	When the labor website is up and running, we can use it to access contract negotiation information (Bill Everson)
New Jersey	Not sure if NFOP could help or not. I believe that letting people know we are a National Union would certainly be positive. (Ron Bakley)
New Jersey	Specialized- health care, banking (Ed Giordano)

New Mexico	Don't know at this time (Dave Heshley)
Ohio	A service that would be beneficial if offered by the NFOP is an expert on analyzing budgets and finding "hidden" money from the employer. If this expert was available to us free of charge, or at a very reasonable rate, that would be helpful(Cathy Brockman)
Washington	The FOP Information Network currently being prepared will be a big help in comparable and contract language (Jack Simington)

Are there services for which your labor council currently uses outside consultants or experts?

Arizona	The ALC contracts with a law firm to service our legal plan. We use an accountant to review our financial statements and fill our taxes (Bill Everson)
New Jersey	No other services outside the LC. (Ron Bakley)
New Jersey	Yes, forensic (Ed Giordano)
New Mexico	Rarely need outside experts (Dave Heshley)
Ohio	We occasionally use an expert on excessive use of force. (Cathy Brockman)
Washington	Yes - each member organization provides their own funds (usually \$15 - \$25 per member) for a professional labor attorney to represent them. We assist them in finding one in their geographical that is familiar with all aspects of collective bargaining. The attorneys can be retained by the hour or put on a straight retainer depending on the member organizations preference. (Jack Simington)

How many members do you currently have?

Arizona	3,000 (Bill Everson)
New Jersey	Approximately 1,900 members(Ron Bakley)
New Jersey	75-90 lodges/bargaining units (Ed Giordano)
New Mexico	Approximately 1500 (Dave Heshley)

Ohio	We currently have approx. 9200 members. (Cathy Brockman)
Washington	I would estimate 500 but not sure. (Jack Simington)

How many contracts have you negotiated?

Arizona	In Arizona contract negotiation is locally controlled per the statutes allowing bargaining. In other words, for those few agencies that allow contract negotiations, the negotiators must be from that agency. The ALC, while having not negotiated any contracts directly, has reviewed many contracts to offer advice and direction to its local units that do negotiate contracts. The ALC has lobbied the legislature for the last five years for a collective bargaining statute for law enforcement agencies statewide, but that process is a long range goal and difficult to achieve in a republican state that prides itself as a right to work state. (Bill Everson)
New Jersey	About 90 negotiated contracts(Ron Bakley)
New Jersey	Lost count (Ed Giordano)
New Mexico	About 200 (Dave Heshley)
Ohio	We average 90-100 contract negotiations per year(Cathy Brockman)
Washington	We do not actually negotiate the CBA. The attorneys that are retained by the member organizations do the negotiations. In addition we require at least 80% of the members of each of the Coalition member groups to be a member of our Legal Defense Plan. Hope this answers your questions. If you need additional please contact me. (Jack Simington)

Questionnaire
NFOP Board of Directors and State Presidents
April 2006

NFOP Board of Directors and State Presidents

What labor services should the NFOP provide?

- We have not used any labor services in Utah yet, but if we needed help in that area, I would like to have it available from National. (Chad Soffe Utah)
- Thanks for the opportunity to provide input. In my humble opinion, I think that the focus needs to be on providing whatever is necessary to get collective bargaining rights for all members of the FOP. This will necessitate involvement from the National FOP in state-level politics, but it's long overdue. I'm sure all of my board members agree. Again, thanks for the opportunity. (Tom Mayer Missouri)
- I believe that the Grand Lodge should provide support services to the states as they do now. I do not believe they should get involved in individual representation. The exception may be officers at the Federal level(John Kirkpatrick Michigan)
- I believe the fraternal order of Police should have a program which would allow local lodges to employ Labor Services to negotiate their contract. I think this will be a huge help in recruiting and I am looking forward to hearing from you group. I know in my State I have heard over and over again how Porac offers labor negotiations and the FOP does not. NAGE offers negotiations and the FOP does not (Ed Howard Nevada)
- The national leadership should examine the need for labor services, type of labor services and amount of labor services. Consideration should be given to whether the services should tailor-made or a cafeteria-style. Also, the national labor relations staff should be prepared to offer these services in different venues e.g., national, state, or local training and the national staff should use the expertise that exists in the several FOP State Labor Councils throughout the country (Bob Martinez New Mexico)
- It is my understanding that the GLFOP was being asked to provide a sanctuary for federal law enforcement officers in order to provide them with a framework for a master (national) agreement. I believe the GLFOP should provide a C5 union status for the various federal law enforcement agencies. (Easier said than done. We did this once. We had Postal Police and Conrail registered as a national union. Only members of union could vote for officers of the new union [as I remember]). (Dick Boyd)
- Provide research material to lodges preparing for contract negotiations. (FLSA, FMLA, 8 vs 10 vs 12 hours shifts. Salary comparisons based on region or department size or population. etc). (Peter Fogarty Kansas)
- They should provide Labor services to the lodges that do not have any such services and assist other labor lodges if needed. (Peter Fire Florida)
- My concerns have been discussed many times. I would like to see some research into methods used in right to work states that have been successful in bringing management to the table. We are trying to legislate some paths but there are no real incentives for them to bargain. I would like to see if we can show an increase in productivity or fewer sick leaves used ECT. There must be those kinds of results documented somehow. (William Peacock Georgia)
- 1. Ethical and legal issues representing law enforcement. 2. Labor contract issues (hopefully someday Va. will be able to partake). 3. Possibly some first amendment issues. This seems to be a hot issue now. (Jim Gaudet-Virginia)

- The Arkansas State Executive Board met last night and discussed this topic. The consensus was the NFOP should be able to send representatives to assist a subordinate lodge if a request is made by the subordinate lodge or State Lodge. The NFOP should notify the State Lodge, if the request is from the subordinate lodge and the State Lodge should have representatives on site, also (Gary Wallace Arkansas)
- I think we should have cafeteria style programs that they can choose from and pay a monthly fee for. Contact negotiations, Enforce collective bargaining agreement, Representation for grievance, Representation for Mediation, Fact-finding and Arbitration, Address the labor relations needs of the bargaining unit (Tom Penozza)
- This is my first year on the board, forgive me if I'm not that knowledgeable of things yet, but I think that in Missouri, a right to work state, the committee could assist us with convincing legislation to change the statute. There are only 3 departments in Missouri that work under contract. But at renewal time they could bring in some "big guns" as it were, to help those departments negotiate. Sorry I couldn't be more helpful. (Bill Albertson Missouri)
- a. Assistance in working for passage of local state and national legislation. Assistance in organizing bargaining units. Assistance in contract negotiations. Assistance in contract administration (grievance processing, labor-management meetings). (Ted Street Illinois)
- Continue labor seminars; assist in training FOP members and leadership at local and state level; pull together FOP labor attorneys for input in the training and membership and to discuss legislation both at the state and local level; continue to preserve the NFOP and local FOP at representing professional law enforcement.(Dewey Stokes)
- The NFOP should plan to provide labor services from advice, research to providing actual negotiations and daily representation. Much thought should be given to how this would be structured.(Mike Taylor)
- We feel the NFOP has the expertise and resources to assist us on many levels, be it lobbying, political strategy, campaign organization and associated media relations.(Grant Benjamin North Dakota)

How should such services be funded?

- I think that it should be funded by those that use it.(Chad Soffe Utah)
- Services currently provided are funded in the current budget. If additional funds are needed they should be addressed by the body as a proposal for an increase in per-capita. Services to individual groups (federal officers) should be funded by that/those entities. If there is seed money needed, a loan could be approved by the board. (John Kirkpatrick Michigan)
- This could be funded similar to the legal defense plan with layers of representation at different costs to the members (Ed Howard Nevada)
- There are a number of funding models that should be employed. For example, a combination of Per Capita Dues Increase, Service Fees, and Training Fees should be implemented. Clearly, a strategy should be developed to improve the quality and delivery of labor services. This will require a review of FOP priorities and thus a redirection of resources. Consideration should also be given to level of staffing and location. (Bob Martinez New Mexico)
- Funding comes from seed money loans from the GLFOP and dues from the unions established. (We could look at established DC # 1 as the National Union and all entities would be under DC 1. Much like SEIU or NAGE or AFGE, etc. The DC Lodge status would rise considerably and our Constitution could allow for an additional vice president to be elected from the C5. That way we can require dues to go to GLFOP but it may eliminate dues to states, and eliminate federal local lodges (unless the federal local lodges elect to maintain their C8 status in the state of resident and then they would be required to pay state dues.)(Dick Boyd)
- National Lodge with possible reimbursement from the state / local lodges. (Peter Fogarty Kansas)
- It should be funded thru the Nat'l Labor dues and the Nat'l Executive Board and Trustees.(Peter Fire Florida)
- It should be funded by sponsors and participants (Jim Gaudet-Virginia)
- the service should be handled by a committee and members should draw expenses(Gary Wallace Arkansas)
- Fees charged based on level of services provided from all of the above to individual (Ted Street Illinois)
- Most of the advise and implementation of legislation will occur at the local level, then state legislation a very broad piece of national legislation will not, I don't believe, provide the results that those at local lodges are persuing; national will give them opportunity to use any national legislation to gain local ordinances or state law. My statement here is simple. The vast majority of the cost and effort will be at the local and state level. National lodges can assist and give good solid direction. With the current dues structure at the national level, I don't believe you fund above this degree of assistance. As you know, they must raise the dues funds to send membership to seminars and be prepared to lobby at the local level, city councils and state legislation. You must compare our dues structure to those of other major labor organizations, thus you will understand my statement here as it pertains to who should fund what (Dewey Stokes)
- The funding will have to come from members, partially in way of a per capita increase to charging for specific services.(Mike Taylor)
- We feel that funding would need to be a joint venture. States would have to fund their share, perhaps on a sliding scale, depending on their financial status and means. We feel that the experts are in the states, which have strong labor laws, and from those that have already invented the wheel. We are asking for their assistance, so we may all enjoy the right to have a say in our work environment.

The state team would organize and do the legwork. We feel that most of the work could be conducted via e-mail or phone calls, but feel there would be some joint meetings/events necessary.(Grant Benjamin North Dakota)

How should such services be staffed?

- I don't know about the staffing. (Chad Soffe Utah)
- I believe that there is adequate staffing to provide current services, especially with the recent additions. Additional staffing needed to provide services to special/individual groups should be funded by those groups. (John Kirkpatrick Michigan)
- These positions could be filled with the expertise that we have within our ranks. I think the time is right and we should move on this issue! (Ed Howard Nevada)
- Here too, several staffing models can be used to determine the number of staff needed to provide labor services. However, the level of staffing should be determined based on the mission, goals and objectives of national labor services office. (Bob Martinez New Mexico)
- They would have their own staff. All required to belong to the National Legal Defense Plan. In house attorneys would assist the varying agencies. DC 1 does it now with labor councils for Corrections, Metro Police, Transit Police, etc. Simply add DOD Police, VA Police, Federal Protection Service, Customs and Border Patrol, etc. (Dick Boyd)
- Utilize the national trustees and possibly the state presidents more. Train them so that they are sure to have the most up to date information and to make sure they are all on the same page. Coordinated through the labor services office. (Peter Fogarty Kansas)
- The staffing they use is usually a professional in the area they teach. Most professionals have to do so much pro-bono work; maybe they could use this as such. I think the FOP should provide travel and lodging, however, the classes need to be taught in places where the participants can go without financial burdens, not resort areas. (Jim Gaudet-Virginia)
- The opinion on funding & staff was the service should be handled by a committee and members should draw expenses. The total cost of the assistance should be covered by the subordinate lodge. If the subordinate lodge can not afford the expense, the NFOP should cover the expenses and transfer the total in the form of a grant to the State Lodge to allow time for the subordinate lodge to reimburse the NFOP through the State Lodge(Gary Wallace Arkansas)
- The program should not be a separate corporation. It should be part of Labor Services (Tom Penozza)
- With qualified, trained, experienced full-time staff assigned regionally throughout the US and working a region of the US that they are from, familiar with, understand the culture, politics, can relate to the people (Ted Street Illinois)
- Each state lodge or local lodge seeks to become a labor representative lodge and should start a labor council, raise dues to trainees, negotiate contracts and to maintain those contracts once they are negotiated. Each lodge should maintain the fraternal aspect of the FOP and Labor Council if that is the services they intend to provide their membership. That's the future of the FOP or we shall see repeats of Nashville throughout the country. All of our lodges, local and state, should maintain a liaison with NFOP for information purposes to be shared with the membership. National needs staff to reorient and offer training seminars to state and local lodges. There should be more training at the National Conferences on contract negotiations and dealing with the media.(Dewey Stokes)

- Expecting members to provide these services for free outside of their lodges shouldn't be expected. Paid staff, be it members or non-members will be needed to be successful. The FOP should look at other labor organizations structure to see what parts might be a good fit for us. I also believe to achieve ultimate success a coordinated plan between labor and legislative, both local and national, should be drafted and implemented.(Mike Taylor)
- We envision small political assessment teams made up of experts that could be assigned to a state, (not necessarily on site) to assist in/oversee the development/execution of a plan to gain labor rights. We feel that the National team should be members who have a background in political organization/strategy, lobbying, media relations and contract negotiations. Each state would also have a team whose responsibility would be working with the NFOP team and organizing the state's resources and executing the plan, which was developed.(Grant Benjamin North Dakota)

Additional Comments

- The current Labor Services section would continue to function for state, county and local government. Difficulties: 1) Maintaining the power of the Presidency over national unions. The only way is through affiliation agreements and use of our registered trademark which could be withdrawn. I don't think, but I am not sure, that the Board of Directors, or the GLFOP President, would have any control over the business of the federal unions. If there is a way to invent this, then let's do it. Other options: For the Grand Lodge and for its entities. Make a separate union C5 union for the Grand Lodge which would enable it to go into a local, county, or state election for bargaining agent and be the union for the local entity. This would address the Nashville situation. I believe that would be a separate union. Contact Steve DeNigris, he does a lot of federal work and can answer many of these questions or retain him to find the answers to these questions. Run all this by "our friends" at USDOL to see what they think? A new administration in 2008 may not like our idea. Let me know how I can be of service. (Dick Boyd)

- Here is the response to the questions from North Dakota:

President John Brocker of Lodge 3, Bismarck North Dakota, who attended Blue Print to Success has responded and I believe John has explained this from our perspective.

We believe the NFOP is making great strides to get federally mandated labor rights. The fact of the matter is that this is a slow process and the political climate can cause those efforts to suffer setbacks or derail at any given moment. Waiting for that to happen is not the answer. Many states, such as ours, refuse to address labor issues concerning law enforcement because we have no political clout and/or the expertise to address the issue. This allows for the erosion of pay, benefits and work conditions and leaves us with little hope of getting those issues addressed, let alone changed. It is here we would like to see the NFOP come into play.

It almost becomes an east -- v -- west issue. The states in the East, and some in the West, who are labor states have been that way for years and years, if not always, and draw the focus of the NFOP. It is a way of life for them. Some states in the West however, haven't a clue about labor rights let alone how to get them. Those cities/states that have had success are few and far between and their success has been limited.

The Blue Print to Success training in Denver, illustrated several things to us. While the course is very worthwhile, and gave us a lot of **insight** into labor issues, the ball was still fully in our court. The sense John had was "Here are some suggestions and ideas; good luck, let us know how things work out." Rather than; "We understand your problems and here is what **WE'RE** going to do." The point is, we feel we are only guessing at what

may or may not work and what our best strategy may be to get us there. Our lack of experience, regardless of how well intentioned we are, will be and has historically been our downfall. We believe the NFOP should be attacking the labor rights issue state-by-state, working side by side with each state lodge to lobby and form strategy/plans rather than, "give us a call if you have questions and we will see what we can do." We feel the NFOP has the expertise and resources to assist us on many levels, be it lobbying, political strategy, campaign organization and associated media relations.

We envision small political assessment teams made up of experts that could be assigned to a state, (not necessarily on site) to assist in/oversee the development/execution of a plan to gain labor rights. We feel that the National team should be members who have a background in political organization/strategy, lobbying, media relations and contract negotiations. Each state would also have a team whose responsibility would be working with the NFOP team and organizing the state's resources and executing the plan, which was developed.

"A state at a time" approach would be able to focus both state and national resources while keeping manpower to a minimum. We hope that this approach could increase recruitment. As states begin to have success others will see that help is coming and hope is on the horizon and hopefully membership will grow as word spreads and success is seen. We see this, "state as a time," also as a potential problem of political infighting as to which state would be first. This is where we feel the National team should decide. This decision should be based on research by the National team as to where we are most likely to succeed. For the first few states we feel that where the decision should be made. During this time, states should be in preliminary discussions with the National as to how to begin preparing themselves for when the National team comes to their state. This preparation should include, fund raising, political awareness, and membership growth. So when the National team contacts a state to discuss labor issues, that state should already have preliminary requirements completed.

We feel that funding would need to be a joint venture. States would have to fund their share, perhaps on a sliding scale, depending on their financial status and means. We feel that the experts are in the states, which have strong labor laws, and from those that have already invented the wheel. We are asking for their assistance, so we may all enjoy the right to have a say in our work environment. The state team would organize and do the legwork. We feel that most of the work could be conducted via e-mail or phone calls, but feel there would be some joint meetings/events necessary. (Grant Benjamin North Dakota)

**Questionnaire
State Labor Council Directors
April 2006**

Labor Council-

How was your labor council formed?

- First we call our organization a Labor Coalition rather than a Labor Council. It is similar but a little different. I brought the idea of forming a labor coalition with the encouragement of Steve Young. (Jack Simington Washington)
- The NJ LC was formed 7/1/96 similar to the Ohio LC. (Ron Bakley New Jersey)
- The F.O.P. Ohio Labor Council was formed as a committee of the Ohio State Lodge. When the collective bargaining bill passed in Ohio in 1983 the State FOP in Ohio wanted to be ready to provide labor services. (Cathy Brockman Ohio)
- By state lodge (Dave Heshley New Mexico)
- In 1994 an Arizona State F.O.P. committee was formed to investigate the possibility of forming a labor council in Arizona. The committee agreed there was a need and advantage to have a labor council in Arizona through the F.O.P. and contacted the Ohio Labor Council. The Arizona Labor Council bylaws were modeled after Ohio's. (Bill Everson Arizona)
- Separate 501.c5 corporate entity after Ohio model (Ed Giordano New Jersey)

How was your start-up funded?

- Start up was through member organizations joining the coalition and paying \$10.00 per month per member dues (Jack Simington Washington)
- Originally, we charged \$15.00 per month/per member, which was under funded back then (Ron Bakley New Jersey)
- Start up was funded by the Ohio State Lodge(Cathy Brockman Ohio)
- By state lodge (Dave Heshley New Mexico)
- A loan was obtained from the Arizona State F.O.P., which has been repaid (Bill Everson Arizona)
- State Lodge, between \$100,000-150,000 (Ed Giordano New Jersey)

How long was your labor council subsidized, if at all?

- Was not subsidized (Jack Simington Washington)
- Still is subsidized by the State Lodge. (Ron Bakley New Jersey)
- FOP/OLC was subsidized for 3 years before we started paying back the loan from the State FOP. (Cathy Brockman Ohio)
- 1 year (Dave Heshley New Mexico)
- The loan was repaid within five years. No other subsidy was needed to fund the ALC (Bill Everson Arizona)
- Not drawing more anymore, 7 yrs.- pay down now (Ed Giordano New Jersey)

How much was subsidized?

- \$125,000. (Ron Bakley New Jersey)
- The amount was \$100,000, plus approx. \$100,000 from in kind services (i.e. shared staff and equip.) (Cathy Brockman Ohio)
- \$25,000 (Dave Heshley New Mexico)
- \$5,000 (Bill Everson Arizona)
- \$100,000-150,000 plus office space (Ed Giordano New Jersey)

How are you structured?

- 3 members of the State Executive Board and one member of each member organization over see the program as an Executive Committee. The EC Chair reports back to the State E-Board and the State Lodge Treasurer provides a

quarterly financial report. We lock member organizations into a 4 year contract. (Jack Simington Washington)

- Structure: 7 Member Exec. Bd., 1 Full time Executive Director, 1 Full time Secretary, 1 Full Time Staff Rep/Research Person, 6 Part Time Staff Reps working on a per hour & expenses basis. (Ron Bakley New Jersey)
- The structure is Board, Executive Director, 2 Deputy Directors, Administrative Assistant, Attorneys, Paralegals, Staff Reps. (Cathy Brockman Ohio)
- Ex director runs it (Dave Heshley New Mexico)
- ALC members must be F.O.P. members, to include Associate members. Of the seven members executive committee, four are elected, one from a municipal agency, one from a county agency, one from a state agency, and one at-large. The remaining three members are appointed by the state F.O.P. president and vice president. Due to conflicts with the NLRB rules, the ALC is proposing to change the appointed members to elected members and create a new non-voting position appointed by the state F.O.P. president. There is no executive director at this time although the ALC drafted job requirements for the position and is currently accepting applications. (Bill Everson Arizona)
- Dues based (Ed Giordano New Jersey)
-

Did you use full or part time staff?

- Full time; State Lodge office manager oversees the financial part of the program. (Jack Simington Washington)
- We use both full and part time staff. (Cathy Brockman Ohio)
- Both (Dave Heshley New Mexico)
- When first formed, the executive committee volunteered to perform the duties of running the ALC Office. As the organization grew, we hired one full time office manager (Bill Everson)
- Both, primarily part time (Ed Giordano New Jersey)

How many current staff do you have?

- 1 (Jack Simington Washington)
- Current staff = 32 (Cathy Brockman Ohio)
- 6 staff (Dave Heshley New Mexico)
- One office manager, but the ALC is in the process of hiring an executive director (Bill Everson)
- 3 FT, 8PT (including benefit consultant), chief counsel, 2 alt council (Ed Giordano)

How do you compensate your staff?

- US Currency (Jack Simington Washington).
- Executive Director is salaried, as is Secretary. All other Employees paid hourly. (Ron Bakley New Jersey)
- Our administrative staff all have personal services contracts. The other full time staff is covered by a collective bargaining agreement. Part time staff is not covered by the CBA but is paid an hourly rate that matches the rate(s) of full time staff based on seniority. (Cathy Brockman Ohio)
- Hourly plus expenses (Dave Heshley New Mexico)
- Since we will only have two full time employees, we will have different contracts with each employee to cover taxes, health benefits, and transportation issues (Bill Everson Arizona)
- 2 salaried plus 1 possible the rest hourly (Ed Giordano New Jersey)

- **Do you still use part time staff?**
- No (Jack Simington Washington)
- Yes, we still use part time staff(Cathy Brockman Ohio)
- Majority of staff is part time (Dave Heshley New Mexico)
- Not at this time (Bill Everson Arizona)
- Yes (Ed Giordano New Jersey)

Do you have legal or other professional staff that is not staff representatives?

- No (Jack Simington Washington)
- Attorney is on retainer and paid on an as needed basis. No other legal staff (Ron Bakley New Jersey)
- Yes, we have administrative staff, Attorneys and paralegals(Cathy Brockman Ohio)
- Yes, lawyers (Dave Heshley New Mexico)
- We do not have attorneys as staff members. We contract with a law firm to administer our legal plan (Bill Everson Arizona)
- Yes (Ed Giordano New Jersey)

If yes, what positions?

- Our office manager is not a staff rep. The executive director will perform rep duties as part of his job assignment (Bill Everson Arizona)
- Chief and alt council (Ed Giordano New Jersey)

Are there services that the NFOP could offer that would be beneficial to your labor council?

- The FOP Information Network currently being prepared will be a big help in comparable and contract language (Jack Simington Washington)
- Not sure if NFOP could help or not. I believe that letting people know we are a National Union would certainly be positive. (Ron Bakley New Jersey)
- A service that would be beneficial if offered by the NFOP is an expert on analyzing budgets and finding "hidden" money from the employer. If this expert was available to us free of charge, or at a very reasonable rate, that would be helpful(Cathy Brockman Ohio)
- Don't know at this time (Dave Heshley New Mexico)
- When the labor website is up and running, we can use it to access contract negotiation information (Bill Everson Arizona)
- Specialized- health care, banking (Ed Giordano New Jersey)

Are there services for which your labor council currently uses outside consultants or experts?

- Yes - each member organization provides their own funds (usually \$15 - \$25 per member) for a professional labor attorney to represent them. We assist them in finding one in their geographical that is familiar with all aspects of collective bargaining. The attorneys can be retained by the hour or put on a straight retainer depending on the member organizations preference. (Jack Simington Washington)
- No other services outside the LC. (Ron Bakley New Jersey)
- We occasionally use an expert on excessive use of force. (Cathy Brockman Ohio)
- Rarely need outside experts (Dave Heshley New Mexico)
- The ALC contracts with a law firm to service our legal plan. We use an accountant to review our financial statements and fill our taxes (Bill Everson Arizona)

- Yes, forensic (Ed Giordano)

How many members do you currently have?

- I would estimate 500 but not sure. (Jack Simington Washington)
- Approximately 1,900 members(Ron Bakley New Jersey)
- We currently have approx. 9200 members. (Cathy Brockman Ohio)
- Approximately 1500 (Dave Heshley New Mexico)
- 3,000 (Bill Everson)
- 75-90 lodges/bargaining units (Ed Giordano)

How many contracts have you negotiated?

- We do not actually negotiate the CBA. The attorneys that are retained by the member organizations do the negotiations. In addition we require at least 80% of the members of each of the Coalition member groups to be a member of our Legal Defense Plan. Hope this answers your questions. If you need additional please contact me. (Jack Simington Washington)
- About 90 negotiated contracts(Ron Bakley New Jersey)
- We average 90-100 contract negotiations per year(Cathy Brockman Ohio)
- About 200 (Dave Heshley New Mexico)
- In Arizona contract negotiation is locally controlled per the statutes allowing bargaining. In other words, for those few agencies that allow contract negotiations, the negotiators must be from that agency. The ALC, while having not negotiated any contracts directly, has reviewed many contracts to offer advice and direction to its local units that do negotiate contracts. The ALC has lobbied the legislature for the last five years for a collective bargaining statute for law enforcement agencies statewide, but that process is a long range goal and difficult to achieve in a republican state that prides itself as a right to work state. (Bill Everson Arizona)
- Lost count (Ed Giordano New Jersey)

Labor Services Committee Meeting
April 29 - May 3, 2006
Long Beach, CA

April 29

4:00 PM

2. Call to order 4:05 PM

Present:

Committee

Tim Mullaney

Toby Gallegos

Ed Giordano

Randy Mason

Buddy Parker

Future Planning Committee member

Steve James

Staff:

Gil Gallegos

Roger Mayberry

Rick Weisman

3. Overview of agenda -

4. Review of NFOP Board actions charging committee:

- The Future Planning Task Force Committee recommends that the Board direct the Labor Committee to develop a National Labor Program, including the costs associated to implement it, and a time frame to make it operational and to present its report to this body at the 2006 Fall Board Meeting. So moved by Vice President Hiller. Seconded by Trustee Hagler (NC). Motion carries.
- President Canterbury referred the report of the Federal Officers committee to the Labor Committee. (See PowerPoint Presentation)

5. Review past NFOP Labor Council

6. Workshop

- Review of pervious Labor Service committee recommendation:
That President Canterbury appoint a committee of representatives of the Labor Committee, Federal Officers Committee and the State Lodge Labor Councils to meet and consider a potential expansion of the NFOP Labor Services. Such committee should be chaired by the Labor Committee Chairman and supported by the Labor Services office. Issues that should be considered are:

Feasibility

What services should be provided, such as:

Health care coverage advice and evaluation

Pension advice and evaluation

Financial Analysis

Bargaining

How to fund such services:
 Fee based on service provided
 Per head charge for subscription
How to staff such functions
Relationships with existing FOP labor entities

- Review of input received from various entities (see attached questions that have been sent out)

Discussion held each committee members asked:

What kind of services desired?

Buddy - core group of individuals to mentor people through the bargaining process including training, onsite bargaining
Database of national attorneys to handle grievances and/or arbitration attorneys could also be used on bargaining side

Steve – Everything labor related should be available. Should be able to do everything contracts, grievances, be a union that would come in and handle entire labor side. Services must be paid for by users. Need to provide services of all segments, like economist.

Tim – do we view this as something that may eventually be replaced by State/local Lodges taking over function?

Steve - you cannot forget the Nashville situation. Need to have an entity to be on a ballot. You are going to have small locations that never will be able to do this on its own.

Ed – Do not want to get in situation that happened with NFOP Legal Defense. State create own but do not do it as well.

Steve – Planning Committee discussed not agreeing to create more labor councils.

Tim – We may need to propose constitution and bylaw changes. We hope the committee keeps in mind as they consider the issues; Individuals who crosses state line to oppose the FOP

Steve – we did not want to take away local control but want to provide support to your lodge and if you do not want to be bargaining agent we would provide that service.

Toby – ABQ likes independence only wants the NFOP if requested. If go to national concept we may lose the grassroots. Supports keeping things as local as possible.

Ed - Structure is an issue members need to have a say in the organization. Look at old NFOP.

Toby – should our goal be to create these units so they can stand on their own?

Tim – does this eventually eliminate the need for the expanded program?

Randy – must offer two tier program full service and cafeteria. If local wants to take it over that would be ok, once they learn.

Tim – reviewed old NFOP labor council

6:30 PM Recessed to Dinner – continued discussion over dinner.

April 30

8:30 AM

1. Continue review of input
2. Discussion of actions and timelines needed to establish an expansion of Labor Services.

Randy – Michigan committed to \$50,000 a few years ago, have grown to 15 units, currently charge 1% of top step of classification, currently have paid back loan, and pay current expenses.

Structure

Steve – should it be run by staff, should it be a committee, should it be separate corporation

Ed – must be business

Randy – two tiered buy individual services, full service

Steve – need ability to have NFOP go in and take over when local not doing job

Services

Available Ala carte, full service; contract or exclusive representative

8. Obtaining right to serve as Bargaining Agent
 - a. Organizing & Representation
 - i. Decertification/Certifying
 - ii. Initiative petitions
9. Contract Negotiations
 - a. Research
 - b. Economics
 - i. Health care coverage advice and evaluation
 - ii. Pension advice and evaluation
 - iii. Financial Analysis
 - c. Training
 - d. Sitting at table
 - e. Ratification
10. Contract Administration
 - a. Grievance resolution
 - b. Arbitration/mediation services
 - c. Expert services
 - d. Meet and confers (changes to contract or reopeners)
11. Legislative
 - a. Collective bargaining
 - b. Drafting & creating
 - c. Lobbying
 - d. Research
 - e. Enhancing current laws
 - f. Interpreting existing laws
 - g. PACS
12. Legal
13. Research
 - a. Comparables
 - b. Local and state laws
 - c. Other contracts

d. Other case law research

14. Other

Structure

See Organizational Chart

Staffing

Labor Services Director

Federal Director

Legal Staff – 1 with paralegal (attorney 100 – 125,000 year)

Regional Directors – 4

Staff for listed services

How does it work?

When contacted review legal requirements

Determine their needs

Determine dues

Contract services

Funding

Full service – NFOP Legal Defense part of dues

Percentage of top step in classification – up to 1.5% as determined by NFOP, includes legal defense

Collections starts once agreement in place or if servicing an in place agreement

Collect fees

Dues deduction

From local lodge, sign contract

Direct withdraw from checking account from lodge or from members

Ala carte – develop hourly fee depending on service (see services above)

Research

Legal

Health

Pension

Negotiations

Financial

Arbitration

Other

Information System subscription fee set by NFOP Board

Up front funding

NFOP provide

Lodges must be in good standing prior to receiving service

Lodges who did not pay timely after previous service, we will want retainer or up front fee

Provide services only to FOP entities.

Governing documents

Administration

Relationships with other FOP Labor Entities

3 situations:

1. They are currently represented by FOP labor entity
 - Notify entity, but if problem not resolved and they want to have NFOP - represent them
2. They are not represented or represented by non-FOP
 - there is not FOP entity - represent them
 - If there is an FOP labor entity
 - i. refer them to entity, if they do not want entity
 1. handle from NFOP
 2. notify entity

Option: Offer to turn labor councils into part of NFOP labor effort

Who do we want to represent?

LE and agency civilians

Will take agency civilians if we do not have LEOs? They must be FOP associates

What percentage of LEO in bargaining unit must be FOP member? Majority

How do we audit? Periodic audit

Location

Discussion of actions and timelines needed to establish an expansion of Labor Services.

July 14 – 16 tentative next meeting

Be prepared to start Jan 1, 2007

Subsidy may last 3 – 5 years

Have paid staff and list of consultants/volunteers that you can call on

As of January 1 some items that we now provide for free will become charged for services

3. Determination of recommendations
 - Funding
 - Structure
 - Identification and drafting of any Constitution and Bylaw changes needed
4. Assignment of specific tasks

5:00 PM Recess

May 1

8:00 AM

Steve James did not participate this morning

Review of assignments

9:00 AM Adjourn

Things to inquire about:

1. Would you use services?
2. What else would you be interested in?
3. If you have a labor entity it's members asks for NFOP labor services should NFOP provide service? What criteria? How should the situation be handled?

4. What would you be willing to pay for services? Full/Ala carte
5. Discuss structure (chart)
6. Get Feedback

Toby

Arizona
Colorado
New Mexico
Utah

Randy

Florida
Indiana
Michigan
Minnesota
Wisconsin

Buddy

Arkansas
Illinois
Kentucky
New York
Tennessee

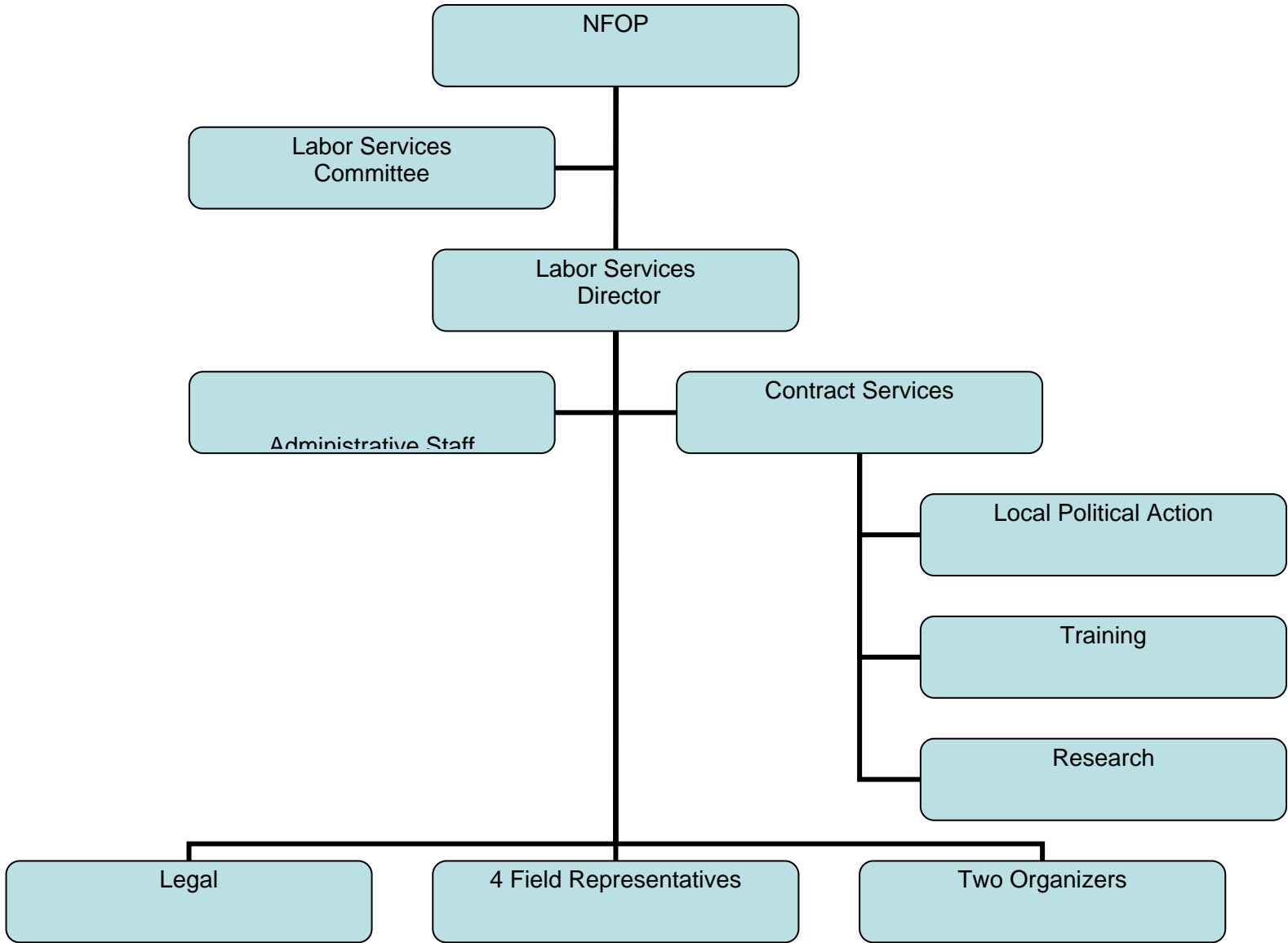
Ed

Georgia
New Jersey
North Carolina
South Carolina
Virginia

To be assigned:

Eric Protzman Missouri
Joe Regan Pennsylvania
Jeff Olsen Washington
Dave Wickster Illinois

Structure



Labor Council Directors Meeting
June 10, 2006

9:00 AM
Mullaney
Bakley
Brockman
Crawford
Gallagher
Guth
Hachigian
Mason not in attendance
Scott not in attendance
Spicer
Weisman
Williams
Wise

Everyone introduced themselves

Chairman Mullaney provided a general overview in which he stated that the intent of the NFOP was not to supplant Labor Councils. He explained that the current practice of giving labor entities the opportunity to fix problems that are brought to the attention of the NFOP will not change. However, if ultimately the problem does not get resolved that the NFOP may consider action, if it is clear that a bargaining unit would leave the FOP for another organization.

General Discussion

Spicer - if Labor Council in place your must go through the Labor Council on your state
Politics in state are an issue

Should NFOP mediate problems at no charge?
Should there be a NFOP standard for service

Brockman - NFOP should not get involved in issues in OHIO

Bakley - NFOP can step in anywhere if protecting name of FOP

Weisman - overviewed Nashville and Little Rock

Bakley - need to be willing to fight the fight with Teamsters

PT - who would make decision on when the name of FOP would be vulnerable?

Mullaney - talking about possible need for changes in constitution and bylaw changes

Gallagher - Need minimum standard in place to be a labor council

Spicer - TX does not bargain for anyone currently charge 4\$ a member a month to lobby for legislation to bargain and build a war chest

Weisman - will labor councils be willing to set minimum standards answer no

Bakley - NFOP should be a national union

Will pick up 22,000 in NY and all of Iowa if become union

Gallagher -concern for at will employees in LA

Bakley - are we going to continue to offer fragment services

Brockman - successful national union has locals

Wise - why would Ohio have a problem with NFOP being bargaining agent if State is not wanted. At least they are still FOP members

Brockman - NFOP needs to educate leaders on what they need to do

Guth - believes NFOP would concentrate on large entities but small units are meet and potatoes of FOP

Bakley - need to declare war on Teamsters

Bakley - has concerns with affiliations, you either need to be a member or not. Affiliates have not ownership.

Wise - only looks at labor council as a service not a business

Okalahoma and New Jersey would be willing to have National become agent for everyone in these states. National would handle finances and pay staff but staff would probably stay in place

Brockman - consider phasing in process

Organization phase one

Labor councils down road

Structure

Fee for service vs. exclusive representative

Are regional coordinators going to be the ones providing services?

What does contract services mean?

Add block for representation services

Once contract in place who services contract – depends on what services are purchased

Services

Brockman - Add labor management meetings in Contract administration also a training issue

Bakley - look into National insurance services getting insurance for staff such as liability insurance, worker comp insurance. Could NFOP get someone to provide for all labor councils

Would the NFOP automatically include legal defense? What does your state offer regarding legal defense?

Legal defense

TX – optional PLEA

OK mandatory

LA mandatory

NJ can have only

OH in house

FL mandatory

Discussion of NFOP legal Defense plan

General view that NFOP program should be in house and more competitive

Spicer - if NFOP mandated legal defense it would be in conflict with his organization.

Bakley - only way to do it is to have NFOP be rep with Labor Councils becoming part of NFOP

What do you do with units that include Law Enforcement with civilians?

Long term NFOP representation should pay for itself
Should initial NFOP funding be used to represent civilians?

Spicer - why not just provide service to only to state that do not have labor councils or mandate that every state have a labor council

How many attorneys do you need on staff to begin?
At least one to start, but need to be able to add as needed. Brockman thinks need at least 4 to start

Need to think about how much staff needed

What else is needed?

Nothing raised.

Should service be different if it is a labor council or a local lodge?

Bakley - You are proposing to use member dues to establish a benefit then it has to be open to all members. If ala carte members will drop labor council for ala carte. Needs to be full service or exclusive representative. Depending on what offered may have to oppose. Wise agrees

Mullaney - FOP needs to be willing to assist members who stick their neck out particularly in the south
OK Ala carte will not work may be a problem for labor councils. Either shit or get off the pot
NC ala carte best but will support full service.
OH ala carte may be problematic but certain service may be useful for labor councils.
TX all approaches compete with labor councils NFOP only offer services to state and then have state provide to locals. If they had a request they would ask the NFOP what it would charge and then be able to negotiate best deal for the local. State would use
LA require labor councils in all states that have a state labor council then NFOP provide ala carte services. But encourage formation of labor councils
FL yes

NJ – wants national to be full service union have states labor councils be state office of national

Would you as a labor council be willing to provide services outside your jurisdiction?

Unanimous, yes after discussion.

Would you be willing to have affiliation with the NFOP as a franchise?

NJ yes
OH I do not know but thinks OHIO would oppose
TX would be willing to discuss do not want to get rid of own incorporation.

LA it seems that the current structure should work for labor. Need minimum standards for labor councils.

OK yes

NC oppose without knowing how structured. In favor of concept of having NFOP provide services when not available from state labor council or has not labor council

FL needs to be careful of what are minimum standards. The labor council is going to independent and would oppose joining NFOP, but wants to purchase ala carte services.

Brockman - Dues should increase automatically

Is it a good idea for NFOP to provide labor services?

Hachigian - if NFOP not going to put resources in than do not do it. Good concept if funded.

Brockman – no however agree if upon invitation

Bakley yes

Spicer yes

Gallagher yes

Wise yes

Gallagher where will start up costs come from?

What amount of time should the FOP plan on funding?

OK two years

NJ 3-5

FL 3 – 5 years

OH 3 – 5

TX 3- 5

NC 3 yrs

Should it be loan?

Hachigian and Wise

Should bring legal program under labor services?

Look at funding that may currently be available in current budget

Spicer - Will directors be notified of what is recommended?

Adjourn 4:05 PM

**Federal Officers
By Agency
and Union**

Agency	Approximate # of Officers	Union*
Administrative Office of the U.S. Courts, Office of Probation and Pretrial Services	4,050	
Amtrak Police, National Railroad Passenger Corporation	327	
Army Criminal Investigations Division	900	FOP, IBPO, AFGE
Capitol Police	1600	FOP
Central Intelligence Agency, Office of Security	unavailable	may not have a CBA
Department of Agriculture	658	
Office of Inspector General	201	AFGE
U.S. Forest Service	658	NFFE
Department of Commerce	595+	
Office of Inspector General	14	
Bureau of Industry and Security, Office of Export Enforcement	431	
National Institute of Standards and Technology	27	FOP
National Marine Fisheries Service	137	
Office of Security	unavailable	
Department of Defense	1879+	
Office of Inspector General	321	AFGE
National Security Agency	unavailable	Classified. May not have CBA.
Naval Criminal Investigative Service	1150	FOP, IBPO, AFGE
Pentagon Force Protection Agency	327	AFGE
U.S. Air Force, Office of Special Investigations	402	AFGE
Department of Energy	212	
Office of Inspector General	46	
Transportation Safeguards Division	212	
Department of Health and Human Services	685	
Office of Inspector General	436	
Food and Drug Administration	162	
National Institutes of Health	77	FOP

Agency	Approximate # of Officers	Union*
Department of Homeland Security	36,510	AFGE
Office of Inspector General	189	
Federal Emergency Management Agency, Office of Security	58	AFGE
Federal Protective Service	744	FOP
Transportation Security Administration	185	Unclear. I found evidence that <i>screeners</i> are not allowed collective bargaining, but I couldn't find anything about police.
U.S. Customs and Border Protection	11977	AFGE
U.S. Immigration and Customs Enforcement	19101	AFGE
U.S. Secret Service	4256	N/A
Department of the Interior	4140	
Office of Inspector General	47	
Bureau of Indian Affairs	334	
Bureau of Land Management	235	AFGE
Bureau of Reclamation	23	AFGE
National Park Service	2139	FOP, AFGE, NTEU
U.S. Fish and Wildlife Service	772	
U.S. Park Police	590	AFGE
Department of Justice	34411	
Office of Inspector General	141	
Bureau of Alcohol, Tobacco, Firearms and Explosives	2335	NTEU
Federal Bureau of Investigation Police	12515	may not have a CBA
Federal Bureau of Prisons	16915	AFGE
U.S. Marshals Service	2646	FLOA
Department of State	592	
Office of Inspector General	16	
Diplomatic Security Service	592	
Department of Transportation	96+	
Office of Inspector General	96	
Federal Aviation Administration	unavailable	A representative stated that "Most of the FAA personnel that would be classified as law enforcement personnel went over to TSA after 911" but would or could not reveal how many LEOs are left at the FAA. An official from the OPM later told me there were no LEO's employed by the FAA.

Agency	Approximate # of Officers	Union*
Department of the Treasury	3824	
Office of Inspector General	60	FOP
Bureau of Engraving and Printing	195	
Financial Crimes Enforcement Network	12	Does not engage in collective bargaining
Internal Revenue Service, Criminal Investigation Division	2855	NTEU
Treasury Inspector General for Tax Administration	327	
U.S. Mint Police	375	FOP, AFGE
Drug Enforcement Agency	5296	
Environmental Protection Agency, Criminal Investigation Division	220	AFGE
General Services Administration	unavailable	AFGE
Government Printing Office, Security Services	unavailable	
Library of Congress, Office of Security and Emergency Preparedness	127	FOP
Smithsonian Institution	38	AFGE
Supreme Court Police	unavailable	
Tennessee Valley Authority Police	197	may not have a CBA
Veterans Health Administration	1605	
Offices of the Inspector General		
Agency for International Development	22	
Amtrak	10	
Central Intelligence Agency	unavailable	may not have a CBA
Corporation for National and Community Service	7	
Dept of Agriculture	201	
Dept of Commerce	14	
Dept of Defense	321	
Dept of Education	64	
Dept of Energy	46	
Dept of Health and Human Services	436	
Dept of Homeland Security	189	
Dept of Housing and Urban Development	211	
Dept of the Interior	47	
Dept of Justice	141	
Dept of Labor	137	
Dept of State	16	
Dept of Transportation	96	
Dept of the Treasury	60	
Dept of the Treasury, Tax Administration	327	These officers do not engage in collective bargaining

Agency	Approximate # of Officers	Union*
Dept of Veterans Affairs	103	NFFE, IUPA
Environmental Protection Agency	51	
Federal Deposit Insurance Corporation	38	
Federal Emergency Management Agency	48	AFGE
General Services Administration	53	
Government Printing Office	8	
National Aeronautics and Space Administration	50	
Nuclear Regulatory Commission	13	
Office of Personnel Management	14	
Railroad Retirement Board	12	
Small Business Administration	35	
Social Security Administration	270	
Tennessee Valley Authority	unavailable	may not have a CBA
U.S. Postal Service	3135	FOP

ALL NUMBERS ARE APPROXIMATE and range from 2002 - 2005 depending on availability.

*Most information about union membership is from materials published in 2001/2002. Information may not be current.

**Federal Officers Committee
Meeting
July 8, 2006
Washington DC**

Chairman Mullaney
Chairman Cannon
Staff:

Rick Weisman
Alan Dodkowitz

9:00 AM

Lou overviewed current opportunities that his lodge/committee has been made aware of (see handout)

US Postal Police NLC#2 is now a labor committee of DC1

Is having Federal labor committees under DC 1 a problem? Lou says it is an issue of start up funding.

How many labor committees do you have? 18.

All are separate corporate entities

4 municipal

Metropolitan police department 1% of officers base salary = 18 bi weekly \$468 annually

Department of Corrections
DC housing
DCHS juvenile corrections

Looking at DC Protective Services

Metro transit dues prorated scale on length of service

14 are Federal

Each committee may have own constitution and bylaw but if do not then must operate under DC1 bylaws.

Each committee collects its own dues and then forwards DC1 \$45 a year.

Each committee provides on duty legal coverage

Lodge dues includes off duty legal coverage.

Park police enrolls members in NFOP plan and then buys negotiations legal services

Lost a group of FPS New York, who was accreted into a larger unit. FPS is one of most problematic organizations because of the agency leadership.

Current opportunity to get Federal Reserve Police, currently 1236 law enforcement officers, contact from Mass. FRP never had a contract before. We could set process for bargaining.

Look at Mint police TX and DC work together to do a master contract and then each site negotiates.

Problem not every state lodge has a federal link

Problem some FOP state lodges will not let Federal officers join FOP or create their own lodge

Structure is key

NFOP issues a charter for a NFOP committee specific unit (example fish and wildlife)
50% must be FOP members may have pay own dues to any local lodge instead of DC1 process

Any unit may have to pay a service fee for NFOP services

What do you think realistically will be the number of Federal units

A lot think once people see what we can do many will come

Key

Carving them out – hard to do

Or get legislation that Federal public safety entities must be represented by public safety unions, look at DOL authority to change by regulations – Allen will check with Pasco look at homeland security issues.

Who available without carve out?

Fish and Wildlife Officers (400 members)

Federal Reserve (1200) (Lou's estimate to get representation rights \$50,000)

CBP currently with NTEU

FPS currently with AFGE

Look for additional units under homeland security

Problem some non carve out units:

Units that are fragmented such as DOD, where you have to bargain for small units.

Some places are willing to regionalize and group units together.

Some places are attempting to privatize, in some places they are cutting back LE Officers

Chairman Mullaney overviewed the labor committee draft.

Need someone to become Federal Side coordinator

Suggestion Attorneys:

Jay Michael Hannan DC plan attorney

Allen - need coordination on federal side even in Legislative discussions.

Does this have to be a separate corporation?

No

What labor authority over sees federal labor units:

DOL is who have to report to

FLRA will do certifications
NLRB on something's

Also have quasi federal groups like AMTRC
NLRB
Railroad entity

Review of services

NFOP being exclusive bargaining agent is problematic
Board must have members of unit in the leadership of representative organization
Ala carte and contract good idea

Need someone dedicated to National impact issues. Need to coordinate Federal issues

Issues:

What do you do with groups that are prohibited from being part of a bargaining unit like air marshals? Currently air marshals found out they do not have 6c retirement.

FLELA may be interested in becoming part of FOP if set up this structure. They are interested in Legal Defense.

DC would use some of the services believes some of the labor committees (6 to 7) like NIH would use services.

Thinks that there are people in FOP that would be good for the federal position

Currently represents 083 series – PO's and Detectives

AFGE
NTEU
AFSCME
FLIOLA

CBP - Customs/border protection is under NTEU who could be challenged (several thousand)

Allen thinks there is a need and desire for a better structure for federal

Lou:

VA police are another unit but are in larger AFGE unit

NFOP labor will become self sustain but will need upfront funding
AFGE formed 083 steering committees to combat FOP taking their units, not very effective

Mullaney

May cause more work for NFOP legislative office on federal issues
Five years without carve out
Depending on contract expirations

3-5,000 officers

Lou will check on expirations of CBP and ICE contracts

Meeting adjourned

**Input and feedback
Solicited by Labor Services Committee
April – June 2006**

**Would you use the services?
What else would you be interested in?**

Florida Labor- George Hachigian

- Expertise, getting out of state help
 - Healthcare
 - Pension
 - Marketing
- Is it cost effective for us to hire our own.

Ohio State Lodge- Nick DiMarco, Jay McDonald, Mark Drum

-The State Lodge thinks that the larger lodges would use economics and healthcare.

Washington State Labor Coalition – Jack Simington

- He thinks that they could use some of the services that the committee is looking at providing and offer them to the members of their coalition.
- Jack was supportive of the Nationals move into more labor activity.

Arizona Labor Council – Bill Everson

- They do not do any labor contracts currently but hope to within the next year.
- Bill thinks that some of the services that the committee is recommending they would be able to use.

Louisiana Labor Council- Bart Thompson

- He thinks they will use a lot of the services that the committee is looking at and they have used labor services in the past. He thinks they could use legal, training and contract negotiations just to start with.
- Their labor council hopes to move to the next step and start picking up some contracts over the next year.

Ohio Lodge #9- Leif Bickel, Travis Parker, Jeff Simpson, Keith Ferrell-

- Leif would be interested in grievance program, information exchange, training/grievance, IA. He thinks they would use grievance teaching, research, and training on regular basis. Travis would only be interested in training. More training in grievance and healthcare, he would like to see contract administration training (why doesn't the National send out email labor updates).
- Keith thinks a lot of the services will not be used by local lodges.
- Jeff thinks the NFOP should be supporting and increasing training such as LIRS.

Washington State Lodge- Mike Peterson-

-Would use obtaining rights to serve as bargaining agent (organizing and representation, decertification/certifying, initiative petitions), contract negotiations (healthcare coverage advice, pension advice, sitting at table), contract administration (grievance resolution, meet and confers), legislative (lobbying), legal and research (comparables)

- Other services he would like; having the FOP negotiates contracts so the membership does not have to sit across the table and be concerned with retaliation by the employer.

Nevada State Lodge- Ed Howard-

-Would use obtaining rights to serve as bargaining agent (organizing and representation, initiative petitions), contract negotiations (research, healthcare coverage advice, financial analysis, training, sitting at table), contract administration (grievance resolution, arbitration/mediation services), legislative (collective bargaining, enhancing current laws), legal and research (comparables).

Washington State Chaplin-

-None

Washington Federal Way Lodge President-

-Would use obtaining rights to serve as bargaining agent (organizing and representation), contract negotiations (research, economics, healthcare coverage and advice, pension advice, financial analysis, training, sitting at table, ratification), contract administration (grievance resolution, arbitration services, expert services, meet and confer), legislative (collective bargaining, enhancing current law, interpreting existing law), legal and research (comparables, local and state laws, other contracts, other case law research).

Oklahoma Labor Council, Philip Wise-

- Did feel that they could use some of the services that the committee is recommending.

Washington State Trustee-

- Would use obtaining rights to serve as bargaining agent (organizing and representation, decertification/certifying), contract negotiations (health care coverage, sitting at table), contract administration (grievance resolution, arbitration, expert services), research (comparables, other contracts).

- Would also be interested in State PAC.

California State VP, Bill Westermann-

- We could and would use some of the services you are looking at making available....like that option.

South Dakota State Treasurer, lodge 2A president, Tony Harrison-

-Yes we would. I am currently performing many of these services by myself or with the help of another FOP member or two here in South Dakota.

- A place to go for 'quick answers' regarding labor issues in our state. Currently we call the State Director of Labor Services for answers that I'm not sure of the answer. Here in Rapid City (where I'm from) we have an attorney on stand by that we can ask, however in the smaller cities that are FOP (Watertown, SD with only 24 Union members) they don't have the 'bank roll' to ask \$150 / hour attorney's questions and sometimes have to 'guess' at the answer or try to work it out by themselves. I believe if we had an attorney available to answer some of those 'little' questions, it would help a lot, especially our smaller agencies around the nation.

West Virginia State Lodge President, Stephen Walker-

- When asked if he or anyone in his state used the current services of the Grand Lodge Labor Services program, he said that he has not had the need thus far, and does not see any need in the foreseeable future.

Alabama State Lodge President, Bill Davis-

- Bill believes the National Labor Council should provide a "cafeteria type menu" of services that state and local lodges could pick and choose from based on need and cost. A few examples he mentioned would be legal, arbitration and contract negotiations. He gave the impression that the list should go beyond these three topics, based on need, but those were what came to mind. He kept stressing "right to work" and assistance needed and the given expertise would be helpful in securing formal collective bargaining.

- It is in Bill's opinion that there is some bargaining going on in Alabama currently, but nobody would dare admit it. In those cases, a National Labor Council could/would be helpful in giving guidance and comparability to be used without actually being involved in the process.

- When I asked Bill if he could have anything he wanted in the area of Labor Council assistance for Alabama, he answered "technical support is not readily available on a small scale". He used this as an example, if the Birmingham Lodge had more information with pay, benefits and work related issues, it would have helped them greatly in their preparation in meetings with the city.

Oklahoma State Lodge President, Ron Bartmier-

- It's becoming more evident that as we expand into the West that the NFOP should take more of a role in labor services. The Eastern States grew up in the labor world and know how to provide labor services in their own respective states. We are the same in Oklahoma, we have learned to provide for subordinate lodges who are not educated enough to negotiate contracts for themselves.

- Certainly, education is a key for providing confidence in handling labor issues. It appears there are some states presidents who want more of a national labor council approach, particularly in the west, as they feel expansion through their states rely on this single issue. This is an issue that we need to take a real hard look at.

Texas State Lodge-

- We believe that National should have resources available to local lodges that cover the entire gambit concerning labor. I.e. contract negotiations, training, pay and benefit surveys.

Michigan President and Executive Director

- We feel that Michigan would only use fee for service in the area of training, research and financial auditing of employers. We also plan on signing up for the Information System

Indiana State President, Tim Downs-

- Tim stated that he felt the Grand Lodge should only do training (fee for service) in the labor area.

Minnesota State President, Gary Cayo-

- Gary advised that they do not have any labor program other than a legal defense plan, they may eventually offer contract negotiations.

Colorado Lodge #43 President, Mike Bowers-

- Yes, much needed are agencies, we have no labor contracts and we need them. We are battling a local state law called the "Garcia Act" which allows overtime only after 171 hours of work.

Colorado, Greeley PD, Dave Stassen-

- No. We conduct our own negotiations and are independent and non-affiliate. Greeley PD is the second highest PD in the state.

Colorado Lodge #29 Secretary, Blaine Engdahl-

- Yes we would be interested in the services especially a change in state law. We have a local FOP but no collective bargaining ordinances.

New Mexico Lodge #14 VP, Mike Sandoval-

- Yes, it is much needed. We are interested.

New Mexico Lodge #1 VP, Matt Candelaria-

- Yes. We would also like to affiliate our labor association with the FOP and away from our AFLCIO union.

New Mexico Lodge #2 VP, James Koons-

- Our agency is not FOP affiliated although I am an FOP member in Silver City. If elected (he is a sheriff candidate) I intend to support the FOP for my deputies and allow them to bargain.

Arizona Lodge #19 President, Dennis Carroll-

- We are interested, especially in changing the laws.
- I am retired for LA County Sheriff's and enjoyed the strong labor presence then.

-Currently our members with various police departments in the area do not enjoy this right at a local or state level. I believe there is great interest in the type of assistance the FOP could bring in this arena of labor.

If you have a labor entity and its members ask for NFOP labor services should the NFOP provide the services?

Florida Labor- George Hachigian

- National should run the show if the local lodge wants help.
- May be competition for Florida Labor Council, is it a loss or does it provide for states that don't have a Labor Council.
- If the state already has a labor council, National should take the position that they should stay with the labor council.
- Benefits, PR value by not having lodges go to rivals, protect the name and organization.

Ohio State Lodge- Nick DiMarco, Jay McDonald, Mark Drum

- There are some potential conflicts concerns.
- Should be available only if there is no other option for representation.

Washington State Labor Coalition – Jack Simington

- He offered any help he could give to see that it works. He does not feel the National would be competing with them because they offer more of a support to their coalition members in the help of arbitration than in contract negotiations.
- He liked the idea that the National would contact the states that have labor councils when contacted by someone in their state. He agrees that it would be better to keep or get new members if the contacting group didn't want to be part of the State Council, for them to go with the National's Labor Council.

Arizona Labor Council – Bill Everson

- At first Bill was not keen on the National competing with them and could see where the National would be able to offer services for less money which would pull members from their labor council
- Once he saw where the committee was heading and that the states that have labor councils would be contact by National when contacted by someone in their state. That the goal would be to keep or get new members and only if the National Labor Council was the only way to do that then that was better than losing them to some other organization.

Louisiana Labor Council - Bart Thompson

- Bart was very supportive of the Committee and National expanding labor services.

Washington State Lodge- Mike Peterson-

- Yes, if voted on by the guild/group and that is what they want then yes if the service is available

Nevada State Lodge- Ed Howard-

-Yes

Washington State Chaplin-

-N/A

Washington Federal Way Lodge President

- Yes

Oklahoma Labor Council, Philip Wise-

- Didn't feel that the National was going to be a problem for them.

Washington State Trustee-

- Yes

South Dakota State Treasurer, lodge 2A president, Tony Harrison

- I think to a point, yes. If it's a legal decision that our NFOP Labor Service knows or can easily obtain then yes. If it's for legal support for an ongoing issue or for negotiation work, no, that would need to be paid for. It has to be 'affordable' yet practical.

West Virginia State Lodge President, Stephen Walker-

- President Walker strongly believes that if the Grand Lodge does form a Labor Council that there must be an understanding that the activities of the Labor Council must be coordinated with the West Virginia State Lodge. He believes the activities of one could conflict or complicate matters for the others.

Alabama State Lodge President, Bill Davis-

- When asked about the existence of both a National and a State Labor Council in the same state and if he saw problems or competition, he said he did not. He felt that the National Labor Council should have "oversight authority" with the State Labor Council. When pressed for how this would work, he really was not certain, nor do I have the impression he had thought it through. His response was more of a first reaction to a question.

Louisiana State Lodge President, Pat Yoes-

- Pat would like to see a National Labor Council. Their State Labor Council could either assist in areas the National Labor Council could not service or did not provide that specific service. He *is* very guarded as to what a National Labor Council can do on a local level, thus will not eliminate the State Labor Council. He strongly believes that the State and National Labor Councils should not duplicate services.

- Pat is a strong believer in state and local authority. He sees a problem with the Grand Lodge interceding if either the state or local lodge objects. He pointed to the Nashville situation and feels had the Grand Lodge been on the ballot, the Grand Lodge would have won representation. He also feels it would have been wrong for the Grand lodge to be placed on the ballot over the objection of the Nashville Lodge or the Tennessee State Lodge.

On August 14, 2006 LA President Yoes provided these additional comments to put in perspective and clarify his previous comments:

What I stated is that under our present bylaws, I feel that it would be wrong for the National to be placed on the ballot over the objections of the local lodges that would also be on the ballot. Example: Nashville. If you recall in our executive board teleconference, I was one of the biggest proponents that we offer to place the national on the ballot and use this as a pilot program. However, under our present language, the objections of the local lodge made it impossible to do so.

I am not against having meaningful discussion that may lead to a bylaw change proposal being submitted. But, absent a bylaw provision granting the national lodge the ability to compete with a local lodge in bargaining elections, or, the ability to withdraw trademark usage based on contractual performance, I fail to see how this is allowed.

Michigan President and Executive Director

- We could not foresee the need for the Grand Lodge to provide any direct representation in Michigan and would not welcome the competition.

Indiana State President, Tim Downs-

- Tim stated that Indiana does a strong labor program and does not want the Grand Lodge competing with it.

Minnesota State President, Gary Cayo-

- Gary stated that they have a good relationship with other statewide police labor groups. Gary feels that if the Grand Lodge came into Minnesota with a labor program it would actually lower their fraternal membership.

Ohio Lodge #9- Leif Bickel, Travis Parker, Jeff Simpson, Keith Ferrell-

- Travis thinks the NFOP should be a mediator, help the states so that they can try to fix the problem on their own. NFOP should try to develop an early warning system to determine when states need help. NFOP could have put someone on guard.

Pennsylvania State VP, Les Neri-

- NFOP should help lodges requesting assistance is a state lodge cannot provide the resources

What would you be willing to pay for the services?

- A. full service**
- B. ala carte**

Nevada State Lodge- Ed Howard-

- \$25/month per member for full service

Washington State Chaplin-

- \$0 for full service

Washington Federal Way Lodge President

- \$50/month for full service

Washington State Trustee-

- \$50/ month for full service
- \$35/month for ala carte contract negotiations

California State VP, Bill Westermann-

- Cost to be in the plan looks like it would be about \$38.00 but may look at a % of top step salary or maybe even an hour rate much like the teamsters do. We are not sure on this one yet..... What to charge is a big question for us.

South Dakota State Treasurer, lodge 2A president, Tony Harrison

- I think for full service, you'd need to pay \$10 or \$12 / member.
- For ala carte; I think \$2 per service / member would be fair OR, a flat fee of several thousand dollars for one service for the period of the event (for contract negotiations etc).

West Virginia State Lodge President, Stephen Walker-

- He believes that funding should be on an "as needed" basis.

Alabama State Lodge President, Bill Davis-

- When asked about funding he felt strongly there are "no free rides and members should pay for what they get". When asked about a fee structure, he feels an annual fee for each service picked from the menu would be the best system. He did not think an hourly arrangement would work. Nowhere in the conversation did he talk about a dues structure system, nor did I suggest it.

Oklahoma State Lodge President, Ron Bartmier-

- If services are to be rendered in a form of a national labor council the participants must pay for it. The current per-capita is not enough to pay for these kinds of services.
- Each subordinate lodge that becomes a member of a national labor council must charge each member an amount to be determined by the staff of this labor council.

- The national labor council must hire reps, regionally, who can become familiar with the respective laws of each state. Each rep must be paid a salary that is to be determined, as well as travel and other expenses.

Texas State Lodge-

- These should be partially funded by the NFOP and users fees provided by the lodge requesting the services.

- Our suggestion would be that national provide staff to facilitate the “cafeteria style” of services mentioned above. A cost associated with each of those services for the lodge who receives the services. There is no need to establish another entity named a labor council as we have experienced many difficulties.

Louisiana State Lodge President, Pat Yoes-

- When asked about targeting areas in the beginning, Pat responded that he believed “pilot programs” were a good idea. After some discussion, it appeared to me that Pat feels that it is too big a task to attempt to develop a meaningful program that can service from Maine to Texas and New York to Washington and have a reliable affordable product.

- He strongly related that if there is to be a National Labor Council, it would not be paid for out of existing revenue sources without hurting existing programs. While he suggested that there could/should be some subsidy at first, it would have to quickly become self-sufficient

Ohio State Lodge- Nick DiMarco, Jay McDonald, Mark Drum

-Should get per capita increase, set different per capita rates for active (\$12/yr) versus retirees (\$10/ yr).

Pennsylvania State VP, Les Neri-

- A loan or grant should be funneled through the state lodge for accountability and control.

- Promotes a chain of command where local lodge applies to the state lodge of all occasions except for special circumstances, similar to FL situation.

Rhode Island State Lodge Past President, Bob Panicia-

- NFOP should provide services and payment should be based on a “per member” fee similar to legal plan.

Massachusetts State Lodge President, Arnie Larson-

- Payment for services provided should be a portion of dues similar to their current structure. (I.E. current dues are \$20 per pay)

Structure/ Feedback

Florida- George Hachigian

- Protect trademark
- Bring administration of legal defense in house, training, recruiting and representation of legal defense should all be under Labor Services umbrella.
- The National has got to expand but they have to be serious and provide the resources.
- All should be under Labor Services
- NFOP coughs up dues
- If requested, do assessments, if you come to us we run the show we are not letting the local run show.
- If NFOP has a meeting to see if the problems requested can be resolved, if they can't be, NFOP can be the representative.
- Have to find qualified staff and pay them well.

Illinois Labor- Dave Wickster-

- Structure, fair share, why should dues be different for captain versus dispatcher
- Funding has to be right from the beginning
- Define a Labor Council
- What services are you selling, set as minimum for Labor Services or the NFOP will take over. One time shot, go to state lodge either they are in or out, if the state is out the NFOP is in
- Nothing prohibits the local from doing it on their own
- New Labor Council relationships
- Who quality controls, determines method to resolve quality issues.
- How do you separate the fraternal big guys from Labor big guys? Must find a way to make sure little guy feels they have a say in direction
- Build in legal defense

Ohio State Lodge- Nick DiMarco, Jay McDonald, Mark Drum

- Develop guidelines for arbitration decisions and money expenditure.
- Funding, money from NFOP to get started "everyone has to bite the bullet", be prepared to subsidize for 5-10 yrs.
- Should rates be same in all agencies, grandfather full services states that have Labor Councils.

Ohio Labor Council- Cathy Brockman, Aaron Crawford, Chet Delong

- May be biting off more than we can chew.
- Cathy thinks we should look at doing the expansion in stages; the 1st effort should be to people who do not have bargaining rights, get training. These are the ones with the greatest need.
- After this first step then the NFOP should develop a report on what has been done to date.
- Labor Councils should be phase 2 of this process.

Louisiana Labor Council- Bart Thompson

- They are set up as a committee and feel very strong that national should be set up the same way, not a separate corporation.

Ohio Lodge #9- Leif Bickel, Travis Parker, Jeff Simpson, Keith Ferrell-

- Travis is concerned this approach may turn the FOP on its head, change it from a bottom up to a top down organization. This will only work if local requests it. Brought up concerns about Larry Deck and Dewey Stokes, as the local lodge president, could have come in and taken over. He thinks this is over reaction; the issue is exclusive representation for all. The discussion board on the NFOP website should be changed to be by subject. Federal should be nationally represented. Also funding is an issue, should locals who do not use the services subsidize them.

- Leif thinks NFOP should be supporting. There is a time when NFOP needs to make sure.

Washington State Lodge- Mike Peterson-

-The state in which the service is offered should be part of the structure and have some input as that is who the local will look to in time of need.

- This would have to be done in baby steps; west coast labor is more delicate than east coast style.

Nevada State Lodge- Ed Howard-

- Proposed structure looks good. Once in place we can see how it functions and adjust as needed if needed.

- I am not convinced that offering Ala Carte services is feasible. It became feasible in the Legal Defense plan and was offered at that time. It might be wiser to begin the plan with full service and after it is established, offer Ala Carte services. I just don't want this plan to fail. I think it has been a long time coming and we absolutely have to make it work!

- Has no other suggestions, thinks it will work fine.

Washington State Chaplin-

- Our Guild is too entrenched in the current system where all services are provided.

- Build a bigger membership base in Washington State.

Oklahoma Labor Council, Philip Wise-

- Thinks that the National program needs to have its own leadership or be under the labor committee and that Director of Labor Services should support that new leadership or who ever will be in charge of the National Labor plan. Looks forward to the up coming meeting with the labor council and thinks that is a good thing that needs to happen.

Washington State Trustee-

- No comments on structure
- Who would pay for the arbitration and its costs?

California State VP, Bill Westermann-

- California has been looking at forming a labor committee for some time now and will be talking about it at our State Conference in September 2006.

- We have looked along the same lines that the Labor Committee has taken so far. The committee would be under the control of the State FOP and have a board made up of members from each labor unit that will come into the plan along with members from the State E Board.

- The National Lodge is going to have to get more into the labor game or let's not call ourselves the largest law enforcement organization in the world any longer.

- National and Board are going to have to understand, we are going to have to pay competitive salaries to get top people in the field to come to work for them. This can't be run by volunteers.

-Like the way you are headed.

South Dakota State Treasurer, lodge 2A president, Tony Harrison

- I think the hardest part would be administration of the service. The Grand Lodge would probably have to hire a person or two to administer it, as well as possibly an attorney or two to do research, etc. We would also have to hire a 'crew' of people to travel around doing the services requested. Possibly it could be a rotating group of people so no body does it full time. For example, maybe if I knew for a month or so I was going to be doing this, I could take vacation and then the FOP would not necessarily have to pay my salary, but pay for expenses, etc. which would even out.

- Regarding the State of South Dakota, I am probably considered the contact point for Labor Services. The State President allows me to handle them as he is not part of a Union and is not as familiar with our state labor laws as I am. Feel free to contact me any time. Thanks for looking into this.

West Virginia State Lodge President, Stephen Walker-

- He is in favor a National Labor Council and believes it should be governed by a 5 to 15 person board. He was unsure as to how that board should be formed.

- President Walker feels strongly that should a National Labor Council be formed, that it is going to have to target areas or cities before providing service nationally. He also believes there must be a "game plan to give" before services of a Labor Council are offered.

- There are currently three departments in West Virginia that have a contract. He said they just settled a lawsuit that was in some sort of litigation for 8 years over protecting one of those contracts. In his opinion, the pressing issue in West Virginia is pensions. He related that there is a constant push to diminish

benefits and increase the amount of service time to qualify. Currently, any and all requests for assistance regarding labor issues must go to the State Lodge for consideration. West Virginia does not have a Labor Council and there currently are no plans to form one.

Alabama State Lodge President, Bill Davis-

- Bill indicated that he is very much in favor of the creation of a National FOP Labor Council. He is a member of the strategic planning committee created by President Canterbury and that committee recommended the creation of a National Labor Council.

- When asked what he thought about the National Labor Council targeting certain areas in the beginning and expanding as time goes on. He had no objection to that and thought it might be a good way to introduce the concept in a manageable way. When asked if that were to happen, where did he feel the first target should area be? He answered "in the south". The Grand Lodge is not currently giving the needed assistance in the "right to work" states. "There is too much going on in other locations". He mentioned Colorado and California as examples.

Oklahoma State Lodge President, Ron Bartmier-

- I think that if you look at a national executive director for a labor council who would then hire reps regionally to be able to provide for labor services within their immediate region.

- However, none of this should be pre-determined until it is discovered how many states want to be involved and their location.

- Unless it is configured to where the benefits are substantially better and the cost is not significantly more I would seriously doubt that my state will be interested in joining a national labor council.

- The Oklahoma State Labor Council is alive and well and being run very well. I am disappointed at some of the other states labor councils, who are flying the FOP Banner.

- I know state laws are different and some have to bargain for groups other than police, but all of the police groups should be FOP members. They should also be paying in to the National FOP Legal Defense, instead of the competitor.

- We, in Oklahoma, can stand tall and state that all of the labor council members are FOP and that they all belong to the FOP Legal Defense.

- Certainly, I would be happy to look at any solutions the labor committee comes up with in dealing with the states that need assistance. I do not count my state with those who need this assistance and I certainly have lots of folks who can assist the Grand Lodge with any states who need the help.

- I know I didn't answer all of the questions in this survey but Gil needs this ASAP so here it is.

Texas State Lodge-

- There should be full time staff employed in the National Labor office.
- I really don't see that there is a need for a National Labor Council if we provide the services at the National level and charge accordingly for the individual service.
- We provide a state legal plan to our membership as well as the national plan. The state lodge provides funds for labor issues that rise to a level that the outcome would affect law enforcement at the state or national level.
- Yes, we do have a Texas FOP Labor Council. It's set up primarily as a legal plan as we are an at-will state. There is a contingency fund that is established for labor issues that are not covered by the legal plan. It is funded by additional dues collected.
- Due to the fact that a large number of State lodges already have Labor Councils a national labor council would only be duplicating there services. Also most of the State Lodge Labor Councils are stand alone corporations which some State Lodges have lost control of and have been forced to forcibility take back over the labor councils to protect the FOP name. For liability reasons a national labor council would probably need to be a separate corporation which could have the same problems if not carefully monitored.

Louisiana State Lodge President, Pat Yoes-

- Pat was reluctant to suggest what a National Labor Council should be, but took the position that whatever the product is, Louisiana State Lodge will evaluate it and adjust its Labor Council services to augment the National plan. Pat further believes it is counter productive to have States and the Grand Lodge competitive in their programs. If at some point the National Labor Council was able to fully meet the needs of the members in Louisiana, the State Lodge would evaluate the need to maintain a State Labor Council.
- I suggested to Pat, that if there was anything he would like to add or that I missed, to please call me as I have several weeks to submit my report. I also asked if I should call his National Trustee. Pat related that he was confident that he was speaking for the State and I would get the same answers from the Trustee.

Michigan President and Executive Director

- I do agree that the Grand Lodge should provide direct representation for any federal law enforcement group.

Indiana State President, Tim Downs-

- Tim stated he would rather that the Grand Lodge not expands their current labor program but would not stand in the way of it for other states.

Pennsylvania State VP, Les Neri-

- The PA state lodge evaluates and provides assistance to lodges with legal and collective bargaining issues with final approval from the state board
- Assistance with healthcare for police officers from the NFOP may be something to investigate

Rhode Island State Lodge Past President, Bob Panicia-

- They need help from the NFOP with Police Officer Bill of Rights and related issues.

Massachusetts State Lodge President, Arnie Larson-

- Interested in NFOP labor council for their state.
- Current union, Mass. Correctional Officers, is the largest in New England and a good labor organization.
- By providing service to local lodges NFOP will assist with building membership.
- Small groups have asked about NFOP as a police officers union and he believes it would be the future in their state.

Connecticut State Lodge President, John Flynn-

- NFOP presentation of labor services was provided to their organization 2 years ago. Likes the concept but needs more background on what services we can offer and some experience.
- They are not closed to idea of assisting lodges but current AFSCME union is strong and NFOP would have to provide better services, although he had no suggestions
- Indicated that they are very satisfied with NFOP services for the current per capita fee. No other suggestions for improvement.

Maine Lodge #5 President, Anthony Amburg-

- All collective bargaining through local lodges Teamsters/ME Association of Police
- Interested in NFOP program.
- Needs more information on what we can offer to provide comments.

**Labor Services Committee Meeting
July 14 - 16, 2006
Albuquerque, NM**

July 14

3:30 PM

Call to order

Present:

Vice President Dave Hiller
Chairman Tim Mullaney
Eric Protzman
Ed Giordano
Joe Regan
Dave Wickster
Buddy Parker (arrived at 4:35)
Toby Gallegos

Staff:

Gil Gallegos
Roger Mayberry
Rick Weisman

Chairman Mullaney:

1. Overviewed agenda for this meeting
2. Overviewed the April Committee meeting
3. Reviewed the meeting with Labor Council Directors

Committee discussed:

What should be NFOP response, if you have a labor entity and its members ask for NFOP labor services?

Toby - people are asking for us to do everything from A to Z. Most states he contacted did not have a right to bargain. If members ask for a service we should refer the request back to local. We do not want to compete, but we also do not want to lose them. We need to be careful of being accused of raiding our own members.

Eric – we have an obligation to make sure members are provided service, if service not being provided we must provide services.

Joe - agrees with Eric. New England is very interested in the NFOP labor services.

Ed - if we are going to be contracting with established entities, we must refer problems back to that entity. States without bargaining want assistance. Some states are not ready to crawl. NJ wants to help, is willing to assist outside state boundaries. Do not have a problem with NFOP doing federal, may be willing to give their current federal units to NFOP.

Randy - Federal should be where the NFOP should start. Michigan has three other police associations that have units all over state. NFOP should mediate problems with labor council. Bottom line if the local FOP entity is going to lose the right to representation, the NFOP should take unit, as a last resort.

Dave Wickster - if you lose someone you lost them to a competitor. People have concern that NFOP may not know what is going on in the state. If you have an entity it is wrong for NFOP to compete. However, we have a number of entities that are called a labor council that do not provide labor services. What is a labor council? What is oversight for labor councils? Who at national oversees quality of labor council services? We are putting the cart before horse. NFOP needs to define what a labor entity is. How many legal defense plans are there in the FOP?

Mullaney – Labor Councils need to set minimum standards to have the name.

Wickster – Lets define what we will not be competing against.

Reviewed input gathered by committee:

- a) Would you use the services?
- b) What else would you be interested in?
- c) What would you be willing to pay for the services?
 - Should the services be full service, ala carte, or both
- d) Structure

Toby - majority stated they needed state and local FOP's to do more. They want NFOP to start providing labor these services tomorrow, if possible.

Eric - could not get lot of feedback, Kansas does own thing, SD needs guidance.

Joe - New England very interested, PA wants all services to be provided though and with permission of state lodge.

Ed - most want services. They are split on how to pay for them. They want to be able to help set up regional/state labor councils.

Randy - IN does not need anything. MN has such a good relationship with other unions they fear they would lose members if NFOP provided labor services in their state.

Buddy - Arkansas would love to NFOP come in. They think we should raise NFOP per capita to pay for the service. IL desires a noncompete rule for true labor councils. We should be divided into regions, with knowledgeable representatives about that region.

Wickster – MS did not much response. Most other states have wait and see attitude. Some of the concerns are on cost, a number felt it should be fee based. They did not resist concept of NFOP testing product in targeted areas. Some concern of how labor services will interact with state lodges. They wonder how does NFOP know what is going on in there state. If we are going to be NFOP labor council we must start as a professional operation.

Adjourn for evening 5:20 PM

6:00 PM Albuquerque Lodge 1 provided transportation to their Lodge for Dinner.

July 15

9:00 AM call to order

Reviewed the Structure proposed at last meeting

See Organizational Chart

Approved proposed structure without changes

Reviewed Services proposed

Available Ala carte, full service; contract or exclusive representative

15. Obtaining right to serve as Bargaining Agent
 - a. Organizing & Representation
 - i. Decertification/Certifying
 - ii. Initiative petitions

16. Contract Negotiations
 - a. Research
 - b. Economics
 - i. Health care coverage advice and evaluation
 - ii. Pension advice and evaluation
 - iii. Financial Analysis
 - c. Training
 - d. Sitting at table
 - e. Ratification

17. Contract Administration
 - a. Grievance resolution
 - b. Arbitration/mediation services
 - c. Expert services
 - d. Meet and confers (changes to contract or reopeners)

18. Legislative
 - a. Collective bargaining
 - b. Drafting & creating
 - c. Lobbying
 - d. Research
 - e. Enhancing current laws
 - f. Interpreting existing laws
 - g. PACS

19. Legal (include cost of NFOP legal defense)

20. Research
 - a. Comparables
 - b. Local and state laws
 - c. Other contracts
 - d. Other case law research

21. Other

Wickster suggested adding Labor management issues such as safety, grants and quality of life issues under other services. Committee concurred.

Mullaney - we are in consensus that services and structure will be as above. Committee concurred.

Review of Federal Officer input

Mullaney - overviewed meeting with Chairman Cannon (see notes)

Wickster:

NFOP expanding for two reasons:

1. Our organization should be providing these services.
2. To stop our competition.

We need to know at what our competitors are doing
What entity is on the hook for failure to represent?

Mullaney - we need indemnification clause that spells out exposure, limits should be based upon specific services provided and may vary from each agreement to agreement.

Gil - What control does the FOP have over an entity it creates?

Wickster – IL FOP Labor Council has two defamation cases pending against them. One for destroying reputation of an individual by claiming he was drunk on duty as a result problems it created for members. The other is a claim by another union that the IL FOP said maybe if this union paid attention to issues of representation instead of solicitation they would be more successful.

If we provide both services for a fee and full service representation, we need to make sure we have good errors and omissions coverage.

Need to look at current NFOP coverage to see if it needs to be modified, need errors and omissions coverage. In addition to Directors and Officers liability.

IL Labor council has \$25,000 deductible, \$1 million limit per case, at a cost of \$40,000 a year.

Do you take a unit that has non law enforcement members in what percentage?

We need to understand that laws are different from state to state. Structure is a significant issue.

Delivery of services

Ala carte

Contract for service

Exclusive representative

Mullaney does not think we can provide this service without restructuring NFOP

Ed and Randy should explore exclusive rep for federal officers and provide other states.

What should we do?

Ed - most ala carte, including full service, fee for service or form separate entity controlled by NFOP

Eric - agree

Joe - agree

Toby - agree

Randy - agrees, but should be aggressive for federals with locals

Wickster - agree

Buddy - has to be ala carte but we could do everything for them. Question, can we provide an affordable service? Each local should be able to determine its own dues.

Consensus NFOP will provide all required labor services, on an as needed basis, up to and including providing full service. Services shall be provided by agreement with a local or state entity.

Staffing

Wickster – we need to target a certain area or city. We need to hire professional organizers, no less than two individuals. Need to invest and win through a long range plan. Need to market labor service not the just NFOP. We need to sell other things than fraternal benefits.

Consensus in this fiscal year we need to hire 2 additional field reps (one for federal) 2 organizers and one attorney. We need to develop and implement a marketing plan. We will add additional staff as needed.

Funding

Salaries see spreadsheet

How does pay as you go work?

Wickster - Unless we have dues deduction that is sent to us, we need the fees up front.

Ed – let local pay the NFOP

Buddy - Could we do a payment plan in some instances or for some services? Are service fees on a sliding scale depending on the size of unit?

Wickster – we could potentially turn into a collection agency. Having locals collect and handle funds creates additional potential for hanky panky with treasuries. Having local handle funds problematic, dues should come to NFOP and be rebated back. NFOP needs to get pay roll deduction forms from members, contract provision with employer. We will lose money to begin with. Dues deduction helps with cash flow predictability. We need to look at what competitors charge and determine dues.

Wickster - Need to look at staff for municipal finance immediately. Ed agrees. This service would be very popular.

Add a staff position right away for a forensic accountant that should pay for self, quickly. Wickster, Randy, Ed all think it makes sense.

Consensus of committee is to add a municipal finance position initially. NFOP will need to provide some subsidy for 3 – 5 years

Pricing determined by service requested and cost to provide that service

What should be NFOP response, if you have a labor entity and its members ask for NFOP labor services?

The NFOP should contact the entity with the problem and work with them to resolve the problem. If after a good faith effort to resolve the issue the NFOP will represent the members if we are going to lose them to a competing organization. FOP labor entities need to provide at least the following:

Demonstrate the ability to organize (Have Disseminate and market products recruiting expansion staff)

Have trained Unit representatives (trained in both negotiations and contract administration)

Insurance:

- Bonding
- Errors and omissions coverage
- Liability

Must have trademark agreement if required

Demonstrate are established labor entity

Clear demonstration of what services provided

Bylaws include negotiations and ratification process for votes other items needed to be a bargaining agent

Qualify to be certified in their area

Participate in labor management meetings

Respond to critical incidents
Plan for handling impasse
Communication plan and process
Money handling process, including an annual audit
Process for dealing with disgruntled members

Consensus of committee to recommend above, give some time to reach standard with assistance of NFOP (1 year)

What do you do with state lodge committees that call themselves labor councils? They should meet these standards. Yes

Does any one think the NFOP constitution and bylaws have to be changed to enact these changes? No one said anything. We need to make sure we do not cause a conflict by using terms in a manner different than the Constitution and Bylaws provide.

Meeting adjourned at 4:05 PM

California Federal Lodge 12 Negotiations
April 5, 2006 - June 30, 2006

The following is a report from Field Representative Roger Mayberry. CA Federal Lodge 12 is the bargaining agent for a 150 person Department of Defense, San Diego Naval Facility Police Officers. The NFOP agreed to have Roger serve as chief negotiator for this negotiations, as a method of determining the viability of the NFOP providing this service on an ongoing basis.

This report is to bring you up to date on my time and other cost to finish Lodge 12's contract for them. As you know Lodge 12 had hired Steve DeNignis to do their contract and that agreement was terminated on April 12, 2006. It was at this time that we agreed to step into the process and finish negotiations for them.

It should be pointed out that the contract with DeNignis started February 8, 2006 and was for \$12,500.00 to be paid half on February 8, 2006, ¼ thirty days later (after start of negotiations) and ¼ thirty days after that (60 days after the start of negotiations) and that they had paid him \$9,375.00 by the time the contract was terminated. This didn't cover the cost of his room and airfare to travel to San Diego to meet with Management during negotiations. He had stated that he would cover his own meals and that each trip would be about \$3,000.00 additional

In April I spent 32 hours working in the office putting together the first proposal of a contract to be submitted to management. Also time was spent in conversations with management and the Lodge on contract issues and setting a time for our first meeting.

In May we worked out any change to the first proposal with the negotiations team and met to set our rules for how we would conduct the process and talks at the table. This took any other 18 hours of preparation.

Face to face negotiations started on May 19, 2006 and in total we spent about 30 hours at the table. With another 10 hours on rewrites and counter proposals.

We signed the contract on June 30, 2006 with one article going to impasse.

Total hours spent on this contract was approximately 90 hours and I billed them for supplies totaling \$646.94.

This gives you an ideal how much time we spent on this contract. If we billed them at the rate of \$75.00 per hour it would have cost the \$6750.00 plus cost of \$646.94, not a bad deal looking at what they paid or would have paid the other party.