



Memorandum

Memorandum No 24-024

Date: February 1, 2024

To: Honorable Mayor, Vice Mayor, and Commissioners

From: Greg Chavarria, City Manager 
Greg Chavarria (Feb 1, 2024 16:55 EST)

Re: **Arbitration Opinion and Award – Fraternal Order of Police Standby Pay Grievance**

In June 2021, the Fraternal Order of Police (“FOP”) filed a grievance over the alleged non-payment of Standby Pay pursuant to Article 23 of the Collective Bargaining Agreement (“CBA”) between the City and the FOP. Standby Pay had not previously been paid pursuant to the CBA, despite this provision being in place since 1984. The Article was eliminated from the CBA effective October 1, 2023, at the same time Assignment Pay was instituted for specified specialty units.

The grievance went to arbitration and a hearing was held on December 11, 2023. The attached Opinion and Award reflects an award to FOP of \$3.5 million, payable by December 31, 2026, distributed in a manner and schedule agreeable to the parties.

Attachment: Exhibit 1 – Arbitration Opinion and Award – Fraternal Order of Police Standby Pay Grievance

c: Anthony G. Fajardo, Assistant City Manager
Susan Grant, Assistant City Manager
Thomas J. Ansbro, City Attorney
David Soloman, City Clerk
Patrick Reilly, City Auditor
Department Directors
CMO Managers

For the City

Carmen Rodriguez, Esquire, LAW OFFICES OF CARMEN RODRIQUEZ
Luis Alvarez, Assistant Police Chief
Susan Grant, City Manager's Office

STATEMENT OF THE CASE

The Fraternal Order of Police Lodge 31 ("the FOP") and the City of Fort Lauderdale ("the City") are parties to collective bargaining agreements governing the employment terms and conditions of certain sworn members of the Fort Lauderdale Police Department. Article 23 of the 2020-2022 CBA addresses Standby Pay that may be issued to officers assigned to Specialty Units in the amounts stated and under certain circumstances. The current CBA is in effect through September 30, 2026 and no longer contains the Article 23 Standby Pay language at issue in this matter.

In June 2021, the FOP filed a grievance over the alleged non-payment of Standby Pay to officers assigned to Specialty Units. The City denied the grievance, asserting that the grievance was not timely filed, barred by past practice, and that the officers were not otherwise eligible for Standby Pay as alleged by the FOP. The parties referred the Standby Pay grievance to arbitration, with the matter noticed for hearing before the undersigned Arbitrator for December 11-12, 2023. Following the arbitration hearing, the parties submitted post-hearing summaries of their respective positions with certain stipulated testimony as attached, which was reviewed. This AWARD shall

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Final Audit Report

2024-02-01

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