



***City of Fernie and IAFF Local 2827 (Fernie Professional Fire Fighters)
sign renewed Collective Agreement.***

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Fernie, BC
For Immediate Release

After more than thirty-one months of collective bargaining, the City of Fernie and the Fernie Professional Fire Fighters have reached agreement on a renewed Collective Agreement for provision of fire and rescue services for the time period of January 1, 2008 until December 31, 2011.

The renewed Collective Agreement clarifies contract language including sick leave provisions, layoff and grievance procedures and deletes or incorporates into the agreement a number of previous letters of understanding appended to the former agreement. The renewed agreement provides for an annual wage increase to be paid on July 1 during each year of the agreement and for increases to vision care and orthodontics benefits in line with those provided to City of Fernie CUPE employees.

The main sticking point during negotiations was wages as a result of the 'BC Standard' fire fighter wage rate that has developed. At the present time, Fernie first class fire fighters earn 14% less than the average wage rate paid to fire fighters in the Province.

Negotiations with fire fighter unions in the Province of BC are governed by the provisions of the *Fire and Police Services Collective Bargaining Act*. In the recent past, many renewed collective agreements with fire fighter unions in the Province have been achieved through arbitration proceedings pursuant to the *Act*. Under the *Fire and Police Services Collective Bargaining Act* where a union and an employer have failed to reach agreement on the renewal or revision of a collective agreement either party may request that the minister direct that the dispute be settled by arbitration. Arbitration may proceed if a mediator (appointed under section 74 of the *Labour Relations Code*) has conferred with the parties and made a report to the minister recommending arbitration. The *Act* was brought in to force partly because fire and police services unions cannot withdraw services or strike during collective bargaining.

The City of Fernie requested the appointment of a mediator under section 74 of the *Labour Relations Code* and the mediator met with the parties in Fernie on June 4, 2010. At that time, the IAFF Local 2827 were proposing a wait and see approach to the outcome of arbitration proceedings or a negotiated settlement between the City of Nelson and its professional firefighters. The City's position was that it needs to know its financial liability for wages, past, present and future, and budget accordingly. The LRB mediator strongly encouraged the parties to settle on the basis discussed at mediation and as contained in the renewed collective agreement.

Through collective bargaining and arbitration proceedings there has emerged a 'BC Standard' first class fire fighter wage rate. There are approximately 49 IAFF locals in the province with 98% of their 3,810 members earning the "BC Standard" rate.¹ According to IAFF Local 2827, Fernie firefighter rates are some of the lowest in the province (1st class firefighter base salary rates are approximately 86% of a provincial average). According to the IAFF Local 941 (Trail) "*only seven IAFF Locals,*

¹ Submission of the IAFF Local 941 (Trail Firefighters) to arbitrator Joan M. Gordon, heard November 25 & 26, 2009.

*representing 79 members around the province, are earning less than the "B.C. Standard": Port Alberni; Prince Rupert; Nelson; Fernie; Fort Nelson; Salmon Arm; and Trail."*²

In a December 31, 2009 arbitration award involving the Regional District of Kootenay Boundary and the IAFF arbitrator Joan M. Gordon said the following:

The historical pattern is that the wage rates negotiated by Vancouver Firefighters have become a prominent feature in the collective bargaining relationships of municipalities and their firefighter locals, such that a provincial environment has developed over the years under the Act.

Pg. 27 Based on the evidence before me, I am persuaded that the weight to be attached to the provincial environment, which has developed over time under the Act, has been augmented by recent developments. As of August 1, 2009, 98% of professional firefighters in B.C. have achieved wage parity with Vancouver Firefighters. This is a changed collective bargaining circumstance for the purposes of assessing whether a wage catch up, or some degree of a wage catch up, is justified here. Viewed in the context of this provincial environment, at the expiry of the parties' previous collective agreement, Trail Firefighters lagged behind 98% of their counterparts in B.C. by 4%.

The Gordon award moves Trail fire fighters to a wage rate of 99.5% of the 'BC standard' rate for a first class fire fighter over the life of the contract (three years).

The City of Fernie and the IAFF Local 2827 were both desirous of reaching a negotiated agreement and avoiding the confrontation and expense that an arbitration proceeding represented. The renewed agreement provides for annual wage increases to be paid on July 1 in each year with 2008 and 2009 wage increases fixed at 5% and 2010 and 2011 wage increases to be based on those negotiated or ordered by arbitration between the City of Nelson and its professional fire fighters. The first class fire fighter hourly rate for Fernie increases from \$27.71 in 2007 to \$29.10 in 2008 and \$30.55 in 2009.

The City of Fernie is pleased that it was able to reach a negotiated settlement with the Fernie Professional Fire Fighters. A 5% annual increase for the years 2008 and 2009 is the same increase (averaged) that was paid to other professional fire fighters in BC for those years. In effect, those increases maintain Fernie fire fighter rates at approximately 14% below the 'BC Standard' rate for years 2008 and 2009. It is expected that wage differential will be somewhat reduced by the outcome of negotiations or arbitration at the City of Nelson for years 2010 and 2011.

After the conclusion of the renewed collective agreement all references to external comparators or determinants of wages shall be deleted from the collective agreement and the City of Fernie shall not be obligated in any manner whatsoever to reference, compare or determine wages in relation to any other fire department.

The City of Fernie looks forward to continued good relations with its fire fighters and their continued provisions of outstanding fire and rescue services to Fernie and its rural fire protection service area.

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² Ibid