

Mayor Tables Union Lawsuit Discussion

IRIS DIMMICK on 28 January, 2015 at 14:05



As chair of the San Antonio [City Council Governance Committee](#), Mayor Ivy Taylor tabled the discussion of whether the City should withdraw its lawsuit that challenges aspects of the police and fire union contract.

Councilmember Cris Medina (D7), along with four other Council members, filed a request to consider withdrawing the City's lawsuit against the [police and firefighter unions](#) over the collective bargaining contract's evergreen clause, which allows the unions to operate for 10 years under the existing contract if negotiations around a new agreement fails.

Taylor said that the lawsuit does not mean negotiations have to cease – though police union leaders have cited the lawsuit as a sign of bad faith – and that further discussion of the lawsuit should wait until after [City Council's B Session](#) meeting later Wednesday when independent financial analysts were set to present their review of both the City and union health care and pension plan costs.

Medina, who is not on the Governance Committee but spoke for clarification during the meeting, said he wanted to “give the full Council an opportunity to have an open discussion about the direction of the negotiations,” in a more “transparent” forum.

“I certainly applaud the Mayor's decision to have continued discussions in the future once we have more information, once we have a chance to see some actual data as well,” Medina said. However, “having a lawsuit that looms over this entire process, I think it sends a bad signal.”

At the last negotiating session on Nov. 3, the two sides agreed to have independent actuaries review their respective financial models when they could not agree on the likely costs or cost savings of their respective proposals. It's unclear if the police union has finalized their review, but the City has completed its own.

(Stay tuned for our coverage of B Session later today.)

Councilmember Rebecca Viagran (D3) supported the move to full Council discussion.

“We were told this lawsuit would bring everyone back to the table and that has not happened yet,” Viagran said. “At the end of the day, I think we’re all on the same page about negotiations ... in my opinion if we have discussion in full Council we can see if it’s time to pull (the lawsuit).”

Taylor also called for the media campaigns on both sides of negotiations to stop.

“I just think that they take unnecessary attention and energy away from the desire to negotiate,” she said.

During an executive session last year, Taylor said after the meeting, the full Council was in agreement to direct City Manager Sheryl Sculley and her team to move forward with the lawsuit.

Medina said that is incorrect.

“It was certainly a divided (council),” he said. “(And) it’s clear we don’t have full consensus now.”

“I guess I will have to differ in my recollection of the conversations that we had,” Taylor told reporters after the meeting.

Councilmember Ron Nirenberg (D8), Councilmember Joe Krier (D9), and Councilmember Rey Saldaña (D4) also spoke in favor of the lawsuit, which is essentially asking a judge whether the 10 year evergreen clause is unconstitutional.

“It is, in my judgement, a legitimate question,” Krier said. “The answer to which will be helpful to all of us.”

Nirenberg and Saldaña agreed.

“If we could do something to have folks come to the table ... I’d be excited about pressing that button,” Saldaña said. “But I would caution us to characterize this lawsuit (moving forward or withdrawing) as that button.”

If he was a union official, he said, of course he would support a clause that guarantees continuation of the current contract – which means uniformed employees do not pay health care premiums or many out-of-pocket expenses – for 10 years.

“It’s about fairness to other (future) councils and other mayors to at least ask the question,” Saldaña said. “It doesn’t stop us from getting back to the table now.”

The five-year labor agreement expired on Sept. 30, six months after a letter of agreement was signed calling for the two sides to agree on a new contract by last June. The two sides have not met for nearly three months now, and the police union has not responded to the City’s offers to resume talks in February.