

Wednesday, August 31, 2011  
 To: Honorable Mayor Thomas G. Ferrini  
 City Manager  
 1 Junkins Avenue  
 Portsmouth, NH 03801  
 CC: Portsmouth Herald  
 RE: Contract Jamming

Dear Mayor Ferrini,

The Association of Portsmouth Taxpayers is requesting a **full 60 days** to review the Patrolman's Contract - anything less is contract jamming. December 6, 2010 you publicly said the public would be provided the contracts well in advance of any council vote on contracts. Recently, on December 6, 2010, the police Ranking Officers contract was RUSHED through with days notice. As we understand, it appears you are doing the same thing again by having the council vote on the police Patrolman's contract Tuesday, September 6, 2011 with only 2 business days notice (Thursday and Friday, Monday being a holiday). As of now (August 31, 2011) the contract is not available in the library as was promised. We expect full transparency and the time allowed for the public to fully review these often HIGHLY COMPLEX contracts.

**THE RECENTLY PASSED RANKING OFFICERS CONTRACT - December 6, 2010**

The public was given scant days to study the **highly complex** police Ranking Officers Contract, which you helped pass providing police Ranking Officers such items as:

- 1) 63.5 paid possible days of leave for 20 years of service. Source clauses below:

	20 Years Service
Holidays - p. 7-8 Clause 19	11.5
Personal Days - p. 8 Clause 20	4
Base Vacation Days - p.8 Clause 21	10
1 Day Vacation Added every Year after yr 2- p. 8 Clause 21	19
Bonus Day added at 12 years service - p. 8 Clause 21	1
Total Paid Vacation days, Paid Personal days & Paid Holidays	45.5
Funeral & Emergency Days - p.12 Clause 30	3
Sick leave days - <u>which may be cashed in at retirement for those hired before 1/1/97, if not used, up to 150 days at 90% - p. 9 Clause 22</u>	15
<b>TOTAL Paid Leave Days</b>	<b>63.5</b>

An officer hired prior to 1990 can accumulate and sell back (within final 3 years) *his/her* unused sick time with no maximum limit.

An officer hired after 1990 but prior to 1997 can accumulate and sell back no more than 150 days.

An officer hired after Jan. 1 1997 can accumulate no more than 150 days and cannot sell back any days.

- 2) Ranking officers are paid COLA's on a 10 year rolling average [Source: Ranking Officers contract p. 6 Clause 14] for a 5 year contract. In a recession, this can result in Cost Of Living Adjustments to be paid above the actual year's inflation rate by averaging previous boom years in, boosting COLA's above the current inflation. While 09-10 may

not figure into this COLA, 2009 and 2010 showed the lowest inflation increases in the last 10 years. [Source <http://www.bls.gov/ro1/9150.htm> Bureau of Labor Statistics, CPI Boston, Brockton, Nashua]. The next contract to be approved has no guarantee of using a COLA with a 10 year rolling average when it may provide officers COLA's with increases less than inflation and give taxpayers a break.

3) Ranking officers will pay 15.5% - 20% of premium health insurance costs [depending on plan, Source: Raking Officers Contract p. 10-11 Clause 26] - still far less than what many private sector employees pay.

4) Ranking officers were given another bonus effective July 1, 2012, in the form of Educational Incentives [Source: Ranking Officers Contract p. 13 Clause 34].

-\$500 for Associates Degree

-\$1000 for a Bachelor's Degree

-\$1500 for a MA/MS/PhD/ JD

## **THE PATROLMAN'S CONTRACT**

We strongly advocate for the following:

1. **LIMIT contracts to 2 years - just like council member terms.** Lengthening contracts over two years prevents future councils from fixing bad contract deals with the city. Two year contracts also allow adjustments to be made as the economy changes.
2. The APT is opposed to the Patrolman's Union seeking money for flagger details never performed. The APT is opposed to a monopoly of police union flagger details.
3. Ranking officers and Patrol officers should immediately switch from NHLGC insurance to the lower cost insurance and **they should pay the portion of insurance that private industry employees pay.** The city should use language in the contract

that allows the city to OPT OUT of the insurance policies with the NH Local Government Center.

4. Limit paid possible days of leave to what the average public sector employee receives.
5. Continue with the new practice of not giving away money in retroactive contracts. Retroactive contracts force taxpayers to pay more money for work that has already been performed.
6. 0% cola (cost of living) increase. - STOP giving union members Rolling 10 year average COLA increases in a recession. Social Security is not giving out a COLA increase in 2011 ([Source: Social Security Online](#))[Accessed Jan. 18, 2011] but many Portsmouth Unions with new contracts will get COLA increases due to the Rolling 10 Year average.
7. Ask union members making over \$80,000 plus benefits and pension to take a 5% pay cut.
8. 0% salary increases. Police salaries are already quite generous.
9. Removal of stipends paid. Make salaries simple. No more additional, hard to track, extra compensation allowed.
10. Removal of longevity bonuses.
11. Removal of education stipends.

Sincerely,

Mark Brighton  
Association of Portsmouth Taxpayers, President.