



# **PROFESSIONAL ASSOCIATION OF CITY EMPLOYEES**

An Affiliate of the National Association of Government Employees, SEIU

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**The Professional Association of City Employees (PACE)**  
**Presentation to Atlanta City Council**  
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## **INTRODUCTION**

The Professional Association of City Employees (PACE) pledge itself to improve the general welfare of all City employees, their families, dependents, and communities in the interest of a higher standard of citizenship within the City of Atlanta. PACE accomplishes this by serving as a legitimate representative of our members, as City workers, in wages, rate of pay, working conditions, employment disputes, prohibited discrimination, benefits, protection of legal rights, and a shield against unfair labor practices.

## **AUTHORITY**

Section VI of the City of Atlanta Labor Relations Ordinance recognized and granted all employees the right to union representation, to include unclassified employees Grade 19-27, who can become a member of PACE. Specifically, City Ordinance Section 114-504 states that there will be no disparate treatment against, or in favor of, any employee because such employee is a member of a union. In the past, and to date, a Memorandum of Understanding is used between PACE and the Mayor, or her designee in the Administration, which embodies the consensus for union organization.

## **EXPECTATIONS**

There is a misunderstanding throughout some department heads that unclassified employees does not have and is not allowed union representation. At times, departments terminate unclassified employees because they are considered “at will” and will not allow them to have a rebuttal or even

given an opportunity to have discussions with their union representatives and Labor Relations. However, we have found that almost 80% of the cases that we represent are wrongfully terminated and that employee either take a settlement return to work with a tremendous backpay. This causes the city a lot of money in legal litigations and financial windfalls. Those employees usually file an EEOC complaint and is given the right to sue the City for such. **The money spent for these misguidances can be utilized in better operations such as raises.** Because this is happening often, PACE is requesting that the Atlanta City Council give guidance to the Department of Human Resources to set a clear understanding with department heads that according to the code that was legislated by your authority, allow these employees have their rights to representation during any proceedings of disciplinary actions that includes Performance Improvement Plans. Although Unclassified employees do not have the rights to be heard through civil service hearings, they do have the rights to representation where needed. Labor Relations Director, James Meriweather, has spawned a great working relationship with PACE to investigate our complaints and has advised department heads to do the right thing when they have made errors in their decisions, however, sometimes even his recommendations are challenged and overlooked. Henceforth, law suits.

The central idea of PACE is to build City employment relationships with our members and management better, and not worse. PACE is one of the primary resources for the City of Atlanta to encourage City employees to abide by the fair and reasonable expectations of their employment. It is only when unfair labor practices, unspoken or spoken expectations (PIP), workplace bullying, harassment, intimidations, threats, and unsettled disputes arise, that PACE becomes involved, to negotiate settlements of disputes before they escalate to lawsuits and arduous legal litigation. It is our union's belief is the best possible course of action.

We receive and listen to evidence provided by our members of what they perceive to be an unlawful employment action or an unfair labor practice. Some of these are as follows:

- Bad Working Conditions

- Classification and Pay Issues
- Wrongful Termination Claims
- Employment Discrimination Claims under Title VII of the Civil Rights Act of 1964, *as amended in 1991.*
- Disability Discrimination Claims under the Americans With Disabilities Act.
- Suspensions
- Disciplinary Actions
- Supervisory-Employee Relationships
- Retaliations
- Harassments
- FMLA Interference and Retaliations
- Office of Professional Standards Investigations
- Whistle Blower Claims
- Other employment related issues not prohibited by city, state, or federal law

City employees often feel they have no recourse for their claims to be properly vetted and secured. Our members believe that a report of any unlawful activity asserted against the City of Atlanta will result in their demise of their job, even if their assertions are proven true. The question is often presented to them as to which role should predominate that of divulging unlawful activity, or that of retaining employment. PACE is the only intermediary that can reconcile the two.

Therefore, the City should see PACE as a primary bargaining unit that protects our City employee members on these issues, while at the same time, protecting the City from endless public scrutiny, and continuous financial litigation, while also protecting the whistle blower.

## **WORKPLACE SAFETY AND HEALTH**

Employee health and safety concerns have been reported to PACE daily. Although EAP has been overwhelmed before the pandemic of employees having stress issues due to workplace bullying,

we have learned that there has been a tremendous increase of EAP assistance claims filed by employees who are undergoing stress, hypertension, and panic conditions that are related to continued harassment by their City management. As much stress as we already experience through this pandemic, there is no empathy to employees by their frontline supervisors. In addition, exacerbated medical conditions for employees who suffer serious medical conditions and recognized disabilities under the Americans With Disabilities Act, are afraid to disclose their disability for fear of retaliation, even though their condition has been documented by physicians. Atlanta physicians have provided medical narratives stating that the stressful employment conditions within the City of Atlanta is the underlying reason for our member's medical condition throughout this serious pandemic. There seems to be more concerned and more offbeat rules put in place than the concern for the employee's sanity. Even on case by case instances.

PACE is obviously concerned about our employee's health and safety, and in light of the information we have received from our members, we are requesting that the Atlanta City Council investigate deeply these Workplace Health and Safety concerns with EAP and **find in the City budget of 2021, additional money to help increase staffing in the EAP Department under the leadership of Dr. Adrienne Bradford.** This financial focus in that department can help assist the physical and emotional health of our members throughout this pandemic.

### **E-911 Communications**

We are pleased to announce the complete turnaround of positivity in the 911 call center under Director Pritchett. These unsettling times has shined a bright light on our first responders. Not just the Firemen, Police Officers, and EMT workers, but also our essential front line family who are always overlooked, the dispatchers in the Atlanta Police Department. When you think about it, the beginning of the first responders is the "CALL." *911, What is your emergency?* Before any Fire, Police, or EMT arrives to the scene, the dispatchers are the ones to disseminate them. They first have to find out what is going on with the caller, get accurate information, address, and may

have to remain on the line until the paramedics arrive. This is very stressful alone. Think about it, you are a 911 dispatcher, you get a call and the caller says my husband is trying to kill me, he has a gun, a knife and you can hear all the commotion, the cursing, the screaming and you have to still get information to dispatch the “First responders.” Is this stress enough for you? I could go on to tell you stories that PACE has heard from some of them and I myself know that is not a job for me. However, they are one of the lowest paid group of individuals but are the MOST important team this City has for its citizens. Like the Delta pilot that is often seen as the driving force of the airline industry, so is the policemen and women of APD and rightfully so... they lay their lives on the line daily like the hero's they are, our very own Batman but we often overlook Robin, the trusty sidekick that makes sure things are all in place for our hero to continue to be heroic. City of Atlanta dispatchers start off making \$34,700 a year. Dispatchers are listed as the number 7<sup>th</sup> most stressful job in America. ONLY two spots away from police at number 5 and commercial pilots at number 4. Yet the pay for dispatchers is over 30% less.

PACE is requesting that city council and the mayor **strongly consider and legislate 911 Communications employees be designated as First Responders** as the police, fire, and EMT. **And they should be compensated on a monetary scale up to 25% of their current salary.**

### **City Audit Reimbursements**

PACE has learned that there was an audit conducted last budget year, and in that audit it was noted that *“While retirement contributions to deferred compensation accounts and parking fees were deducted accurately, the city deducted incorrect amounts for 56% of insurance premiums from employees’ September 2017 pay checks. Although the Department of Human Resources is aware of the overage and requested reimbursement from the third-party administrator, it did not ensure employees received refunds for overpaid premiums.”*

There has been no discussion with the union on this situation and members have been asking if the City Council was in discussion with the Administration on how this was and will be directed. If

there is monies that was refunded to the City for overpayment, PACE is requesting that (1) to have discussion with the union in terms of reimbursing the funds to employees, or (2) set the total amount that was reimbursed and use these funds as additional help for the frontline workers to continue to get hazard pay through this pandemic.

## **FINANCIAL STATUS**

Because we know that the City closed down for several months due to the pandemic, the city has lost a lot of revenue for the general fund in which our employees are paid from. Therefore, PACE is not going to request, at this time across the board salary increases, but to continue to find money to support the hazard pay for all of our frontline hero workers while we continue to go through this pandemic. But we will circle back on this during the 2022 budget year.

However, **PACE is requesting that the City Council do not approve any reclassifications of classified employees being moved to unclassified positions at this time.** Employees feel that there is an alleged intent by some departments telling employees that they may or will get a raise.

We have received numerous calls and heard in meetings from our members saying that this is a plot from management to be able to lay off workers during the budget year after the pandemic without following a proper process that's already in legislation. PACE was informed that this action was to satisfy salary compression. However, salary compression should have been dealt with before the pandemic, and in fact, during last year's budget. If there will come a time when a layoff is needed, PACE is also requesting to allow employees to give an opportunity on ways to save money before any personnel is laid off from their job. Please do not allow this "New Normal" taint our decision making on money savings using layoffs to our employees.

## **IN CONCLUSION**

PACE views it as our duty to meet and confer with the Mayor or her designee, Atlanta City Council, Department of Human resources, and Department Heads, to address the needs and

concerns of our City of Atlanta employees. We encourage City Council to ensure that our communications are met with an even discussion to agree and to allow change in legislation where necessary and when necessary. PACE needs to be at the table. We will continue to accomplish the successful retention of valued City Workers. We do not advocate for employees who clearly violate city rules, ordinances, or state laws. But in return, PACE wants to be taken seriously when we bring complaints and requests to you. We are committed to representing our members and keeping a positive and transparent open communication with City Council and the Administration.

In Solidarity as always,

Gina Pagnotta Murphy  
PACE President  
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