



BILL NO. B-21

ORDINANCE NO. 2014-24

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA, AMENDING SUBSECTIONS (a) AND (c) OF SECTION 3-616 OF THE FRESNO MUNICIPAL CODE, RELATING TO THE EMPLOYER-EMPLOYEE RELATIONS ORDINANCE.

THE COUNCIL OF THE CITY OF FRESNO DOES ORDAIN AS FOLLOWS:

SECTION 1. Subsections (a) and (c) of Section 3-616 of the Fresno Municipal Code are amended to read:

SECTION 3-616. UNFAIR EMPLOYEE RELATIONS PRACTICES.

(a) It is an unfair employee relations practice for an employee, employee organization, or an employee representative

(1) to interfere with, restrain, or coerce any employee in the exercise of his rights granted in this article; or

(2) to violate any provision of Sections 3-621 or 3-622; or

(3) to discriminate against any employee because of race, creed, sex, age, color, or national origin with regard to the terms and conditions of membership in an employee organization; or

(4) ~~[repealed and reserved] to consult with an elective officer or member of a board or commission of the city, other than at a scheduled public meeting of the Council or the Board or Commission, on matters which have been delegated to the Director~~



~~pursuant to Section 3-615 of this article and which are currently the subject of discussions in the meet and confer process.~~

(5) to fail, or refuse, to cooperate in impasse procedures invoked pursuant to Section 3-617; or

(6) For a formally recognized employee organization to fail, or refuse, to meet and confer in good faith with the Director at reasonable times, places, and frequencies on matters within the scope of representation.

...

(c) It is an unfair employee relations practice for

(1) the Director to refuse to meet and confer in good faith with the representative of a formally recognized employee organization at reasonable times, places, and frequencies, or to consult within a reasonable time after request; or

(2) ~~[repealed and reserved] an elective officer or member of a board or commission of the city to consult with an employee, an employee organization, or an employee representative, other than at a scheduled public meeting of the Council or the board or commission, on matters which have been delegated to the Director pursuant to Section 3-615 and which are currently the subject of discussion in the meet and confer process.~~

...



SECTION 2. This ordinance shall become effective and in full force and effect at 12:01 a.m. on the thirty-first day after its final passage.

* * * * *

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing ordinance was adopted by the Council of the City of Fresno, at a regular meeting held on the 1st day of May, 2014.

AYES :Baines, Brand, Caprioglio, Olivier, Quintero, Xiong, Brandau
NOES :None
ABSENT :None
ABSTAIN :None

Mayor Approval: _____ N/A, 2014
Mayor Approval/No Return: _____ May 13, 2014
Mayor Veto: _____ N/A, 2014
Council Override Vote: _____ N/A, 2014

YVONNE SPENCE, CMC
City Clerk

BY: Yvonne Spence
Deputy

APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE

BY: Mary Raterman-Doidge 5/13/14
Deputy Date

MRD:prn 64541prn/Ord] 04-16-14



May 1, 2014

Council Adoption: 5/1/2014
RECEIVED Mayor Approval:
Mayor Veto:
Override Request:

TO: MAYOR ASHLEY SWEARENGIN

FROM: YVONNE SPENCE, CMC
City Clerk

2014 MAY 13 AM 9 05

SUBJECT: TRANSMITTAL OF COUNCIL ACTION TO APPROVE OR VETO

At the Council meeting of 5/1/14, Council adopted the attached Bill No. B-21 and Ordinance No. 2014-24, entitled **Amending Subsections (a) and (c) of Section 3-616 of the FMC**, Item No. 1F, by the following vote:

Ayes : Baines, Brand, Brandau, Caprioglio, Olivier, Quintero, Xiong
Noes : None
Absent : None
Abstain : None

Please indicate either your formal approval or veto by completing the following sections and executing and dating your action. Please file the completed memo with the Clerk's office on or before May 12, 2014. In computing the ten day period required by Charter, the first day has been excluded and the tenth day has been included unless the 10th day is a Saturday, Sunday, or holiday, in which case it has also been excluded. Failure to file this memo with the Clerk's office within the required time limit shall constitute approval of the ordinance, resolution or action, and it shall take effect without the Mayor's signed approval.

Thank you.

APPROVED NO RETURN: _____

VETOED for the following reasons: (Written objections are required by Charter; attach additional sheets if necessary.)

Ashley Swearengin, Mayor

Date: _____

COUNCIL OVERRIDE ACTION:

Date: _____

Ayes :
Noes :
Absent :
Abstain :