



23R-187

Introduce: 5-8-23

RESOLUTION NO. A- 93948

1 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

2 That the attached Letter of Agreement Contract Addendum between the City of
3 Lincoln and Lincoln Firefighters Association, Local 644, amending the 2021-2023 collective
4 bargaining agreement regard the Fire Caption Promotional Process is hereby approved and the
5 Mayor is authorized to execute the same on behalf of the City.

Introduced by:

Approved as to Form & Legality:

AYES: Beckius, Bowers, Shobe, Ward,
Washington; NAYS: None; ABSENT: Meginnis,
Suarez.

City Attorney

Approved this 17 day of May, 2023:

Mayor

ADOPTED

MAY 15 2023

BY CITY COUNCIL

**LETTER OF AGREEMENT
CONTRACT ADDENDUM
BETWEEN LINCOLN FIRE FIGHTERS ASSOCIATION, LOCAL 644 AND CITY OF
LINCOLN FOR THE 8-19-2021 THROUGH 8-31-2023 COLLECTIVE BARGAINING
AGREEMENT**

WHEREAS, the City of Lincoln, Nebraska (hereinafter referred to as the City) and the Lincoln Fire Fighters Association, Local 644 (hereinafter referred to as Union) are parties to a collective bargaining agreement for the period between August 19, 2021 and August 31, 2023; and

WHEREAS, the City and the Union have continually worked cooperatively to improve the promotional process to Captain to provide employees with a fair and unbiased method to evaluate their knowledge, skills and abilities required for the position; and

WHEREAS, the City and the Union recognize that due to changes in curricula offered by local colleges and a lack of availability of courses required by the city for employees to be eligible to participate in the Captain's promotional process, changes to MP #202.22 dated 02/26/2020 referenced in Article 7, Section 3 of the Collective Bargaining Agreement are necessary; and

WHEREAS, the requirements necessary to participate in the promotional process for Captain vary, dependent on when an employee was hired and that these variances were not addressed in MP #202.22 dated 02/26/2020; and

WHEREAS, the City and the Union agree that up to forty employees who participate in the process should be allowed to be evaluated and receive a cumulative score comprised of all categories included in the process; and

WHEREAS, the Union and City have agreed to amend the language in Article 7, Section 5 of the Collective Bargaining Agreement in the following manner:

Section 3. FIRE CAPTAIN A. Promotional examinations for the position of Fire Captain shall be conducted in accordance with MP 202.22 2/23/23, are to be given between August 10th and November 10th of odd numbered years.

This letter agreement shall be in effect from the date identified below and shall remain in full force and effect through and including August 31, 2023, or until such time as the Union chooses to terminate its operative provisions, or the City and the Union agree to establish the language as permanent during regular contract negotiations.

Executed by the City this 21 day of April, 2023.

CITY OF LINCOLN, NEBRASKA,
a municipal corporation

By: Banks McIntyre
Human Resources Director

Executed by the Union this 23rd day of February, 2023.

LINCOLN FIRE FIGHTERS
ASSOCIATION, LOCAL 644

By: [Signature]
President

Management Policy
202.22 Promotional Process to Fire Captain
Effective Date: 03/01/2021

Purpose

Establish the fire captain promotional process.

Policy

This promotional process is structured to identify LF&R member who possess supervisory and management skills to be successful serving as a fire captain.

All applications and testing for the position of fire captain will take place between August 10 and November 10 of odd-numbered years. The promotional list is valid for a period of two years beginning January 1 of even-numbered years.

Procedure

I. Eligibility for Test

- a. Presumption of eligibility
 - i. Members who have participated in the fire captain promotional process before 2021 are presumed to be qualified to take the exam.
- b. Time with LF&R
 - i. Members must have served as firefighter, firefighter/paramedic, fire apparatus operator (FAO), or fire inspector for a combined total of six years as of October 1st of any odd-numbered year.
- c. Educational requirements
 - i. There are two options in 2021 to meet the educational requirements for members who have not qualified for a fire captain promotional process before. Only option 1 will be available after the 2021 promotional process.
 1. Option 1
 - a. Fire Instructor I Certification (IFSAC or Pro-Board)
 - b. Fire Officer I Certification (IFSAC or Pro-Board)
 - i. Note: Firefighter II Certification (IFSAC or Pro-Board) is required to certify in Fire Officer I.
 - ii. Fire Officer I certification will be waived based on the current lack of availability of Firefighter II certification testing as long as the applicant can show successful completion of the Fire Officer I class with a C or better. This waiver will be in effect until such time as the State Fire Marshal is able to conduct Firefighter II testing.
 - c. Incident Safety Officer Certification (IFSAC or Pro-Board)
 2. Option 2
 - a. Submit an official transcript, certificate, diploma, or other documentation demonstrating successful completion of all

of the following courses. Member must earn a grade of C's equivalent or better to receive credit for the course. Members should contact the battalion chief of training before enrolling in any of these courses below to verify the curriculum is acceptable.

- i. English Composition I.
- ii. Building Construction for the Fire Service.
- iii. Fire Protection Systems.
- iv. Fire and Emergency Services Instructor I.
 1. LF&R waives the Regional Accreditation requirement if the member is IFSAC or Pro-Board certified.
- v. Structural Firefighting Strategy and Tactics.
- vi. Fire and Emergency Services Administration.

II. Application Process

- a. All members who want to enter the process must apply through the City's human resources when the application link becomes available after August 10th of odd numbered years.

III. Categories to be Considered in the Promotional Process

- a. Promotional Exam-Multiple Choice
 - i. The multiple-choice exam shall contain 100 questions.
 - ii. Exam material shall be taken from the resources listed in MP 508.10 which shall be revised by March 1st of odd numbered years.
 - iii. A third-party entity shall develop the exam.
 - iv. All questions shall be clear and unambiguous.
 - v. All questions shall be practical and LF&R job-related.
 - vi. A new exam shall be administered every promotional period.
 - vii. Monitoring for the exam shall be strict and spacing of at least three (3) feet shall be required between individual members during the exam.
 - viii. Members who cheat during any part of the promotional process shall be disqualified and subject to disciplinary action.
 - ix. The exam shall be limited to no more than 2 ½ hours.
 1. Restroom breaks are allowed with only one member leaving the room at a time.
 - x. Any questions found to be invalid will be counted correct for all members who took the exam.
 - xi. Members on duty the day of the exam shall be released from duty during the test period.
 - xii. Candidates shall leave the site once they have completed the exam.
 - xiii. Candidates with a passing score of 70 percent or higher on the exam advance to the assessment center.

Management Policy

202.22 Promotional Process to Fire Captain

Effective Date: 03/01/2021

- xiv. No electronic devices such as smart phones, watches, tablets, etc. will be allowed in the testing room.

b. Assessment Center

- i. LF&R shall work with a third-party entity to develop the components of the assessment center.

c. Seniority

- i. Seniority will be calculated at a rate of .45 per completed year within the classifications required for eligibility and .375 credited per remaining months in these classifications through the 20th year of service with LF&R.
- ii. The cut-off date for adding seniority shall be October 1 of the test year.
- iii. Seniority points will be applied after the written examination and assessment center have been completed.

d. Percentages in each category:

- i. Multiple choice exam: 30 percent
- ii. Assessment center: 61 percent
- iii. Seniority: 9 percent

IV. Promotional Process

- a. The Fire Chief shall promote qualified candidates from the current promotional list in rank order when a vacancy occurs until all qualified applicants have been promoted or the list expires as defined by the Agreement between the International Association of Firefighters Local 644 and the City of Lincoln.
- b. A member who declines to accept a promotion to the fire captain position shall not suffer any loss of consideration for future promotions to the fire captain position unless the member declines a rank order promotion after the Fire Chief has exhausted the obligation to offer each candidate the promotion.

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