

June 20, 2024

Council President Payne and Council Vice President Chughtai,

I have received your June 17, 2024, letter regarding the upcoming vote by the City Council on the Police Officers Federation of Minneapolis (POFM) collective bargaining agreement. In it, you reference terms that you imply must be met and implemented as pre-conditions for your affirmative vote.

We have an obligation to bargain in good faith with every one of our bargaining units and did so here with the POFM. The Council's vote likewise needs to be based, in good faith, on the merits of the actual contract before them. It is inappropriate to tie the approval of a negotiated contract affecting the livelihood of our employees to a unilateral set of demands that you acknowledge should not be addressed in the contract, and that are unrelated to the merits of the contract itself.

Our Labor Relations staff follow a defined process for engaging with labor unions so we can always say, without question, that we the City are coming to the table in good faith. Your list of demands undermines our good faith approach and would set a terrible precedent for labor negotiations with any union moving forward.

Even if it were appropriate to hinge approval of the contract on the items you've identified, which it is not, none of these items would ever be a legitimate rationale to disapprove of the contract. I can provide you the following information regarding the items you've raised:

1. Identify funding sources outside of the state public safety aid (PSA)
 - a. We have a longstanding approach for budgeting for contract increases to ensure that the City is prepared for such changes in any labor negotiation. We have made a proposal to reallocate some of the PSA, with the aim of minimizing the property tax impact on renters and homeowners across the city, supporting the vast majority of Council proposals, and prioritizing public safety programs that we have the capacity to deploy this summer.
2. Collaboration on Neighborhood Safety Department (NSD) challenges
 - a. Commissioner Barnette is working to address a number of challenges within NSD. The proposals he is bringing for the Council's consideration, including several staffing-related proposals, are critical to supporting those efforts. As we have previously done, we are happy to work together to improve the safety services we provide our constituents. And, if there are specific ordinances or other appropriate legislative actions that you would like to discuss, I am always open to engaging in good faith conversations about your ideas.
3. Strengthen policies on the use of coaching
 - a. Coaching is not discipline, nor is it a tool meant to hide discipline. Effective Law Enforcement for All (ELEFA), the Independent Evaluator under the MDHR Settlement Agreement, is in the process of reviewing MPD's policies and procedures, including those related to coaching.

- b. ELEFA will ask MPD to develop a procedure for how to apply discretion to implement non-disciplinary corrective actions; ELEFA will assess this procedure.
 - c. ELEFA will audit complaint records to assess the use of coaching and other non-disciplinary corrective action.
 - d. ELEFA will conduct quarterly audits of decisions on substantiated misconduct allegations to verify whether outcomes are appropriate.
4. Implement pay equity budget amendment for AFSCME workers
- a. This administration does not pit one bargaining unit against another, nor tie decisions about one contract to another. The conversation regarding the merits of the POFM contract is fully separate from supporting our hard-working staff represented by AFSCME. Separate AFSCME contract negotiations, including a necessary pay raise, will commence in the near future. Combining these two would be both inappropriate and a disservice to all parties working towards fair and equitable labor contracts.

Should the Council choose to vote down the POFM contract, procedurally our Labor Relations team and POFM would return to mediation and very likely end up in interest-based arbitration. In that event we are all but guaranteed fewer reforms, and the same or similar amount of compensation for employees. This is not an opportunity for renegotiation but to review the merits of this collective bargaining agreement and vote on its approval.

Yours truly,



Mayor Jacob Frey