

**CITY OF CHARLOTTESVILLE
LABOR RELATIONS ADMINISTRATOR**

In the matter of)	
)	Decision No. 25001
City of Charlottesville,)	
)	August 15, 2024
Employer,)	
)	Modification of Fire
-and-)	Bargaining Unit
)	
International Association of)	
Fire Fighters Local 2363,)	
)	
Exclusive Representative)	
)	

APPEARANCES

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Katherine L. Yourth, Esq.
Isler Dare, PC
For the Employer

Reid Coploff, Esq.
McGillivray Steele Elkin LLP
For the Exclusive Representative

DECISION AND ORDER

STATEMENT OF THE CASE

On or about July 25, 2024, the City of Charlottesville (“City” or “Employer” or “Petitioner”), submitted a petition for modification of the Fire bargaining unit (“bargaining unit”). Specifically, “the City seeks an order from the LRA declaring that the City may prospectively move the following emergency medical positions to the Fire bargaining unit: Medic-FTO, Medic, EMT-FTO, and EMT (collectively, “EMS positions”). The International Association of Fire Fighters Local 2363 (“Exclusive Representative” or “IAFF Local 2363”) is the Exclusive

Representative for the bargaining unit. The Petition asserted it was unopposed by IAFF Local 2363.

On or about August 1, 2024, the LRA provided Notice of Petition Bargaining Unit Modification (“Notice”) and directed the City to post the Notice in hard copy at work locations of bargaining unit members as well as electronically on the LRA webpage maintained by the City. The Notice provided an opportunity for any affected Employee Organization or individual to provide written comments for the LRA’s consideration by 4:00 PM on August 12, 2024. No comments were received.

DISCUSSION

Pursuant to City Code, Chapter 19, Article VII, Collective Bargaining, Section 19-204 (c)(2), the Fire bargaining unit is defined as “a unit consisting of all sworn uniformed employees of the Charlottesville Fire Department, except those excluded by definition under sec. 19-202.” As of June 6, 2013, per the certification of IAFF Local 2363 as the exclusive representative, the Fire unit is composed of sworn uniformed employees of the Charlottesville Fire Department, including Fire Fighter/EMT, Fire Fighter/Medic, Fire Captain/EMT, and Fire Captain/Medic.

The instant matter involves the City’s unopposed petition to modify the Fire bargaining unit. As relevant background, the City determined that it would create the following single role EMS positions: Medic-FTO, Medic, EMT-FTO, and EMT (“EMS positions”). The City provides the following explanation for this action:

After significant consideration, the Department seeks to add several positions focused solely on Emergency Medical Technician and paramedic responsibilities. This restructuring will allow [Charlottesville Fire Department] to avoid financial, personnel, and safety concerns associated with existing employees working extended hours (or overtime). The restructuring is also an effort to mitigate current quality of life, training, recruitment, and retention issues in the Fire Department that are present under its current structure. The City has already begun the legislative processes necessary to amend City code to make the EMS positions eligible for the public safety retirement supplement.

(Petition at 2). In July 2024, the City and IAFF Local 2363 executed a Memorandum of Understanding (“MOU”) in which the parties “agree to discuss the effects and impacts of the creation of the EMS positions, including placement of the positions on the pay scale currently incorporated into the parties’ [collective bargaining agreement], as well as other “terms and conditions of employment” as set forth in Section 19-203(a)(5) of the CBO.” (Ex. 1).

In reviewing the matter, the LRA finds that the new EMT positions of Medic-FTO, Medic, EMT-FTO, and EMT are appropriately included in the Fire bargaining unit. The LRA reaches this conclusion after considering the purpose of the City’s creation of these positions in conjunction with the bargaining unit parameters set forth in the CBO. The

LRA notes the Petition is unopposed by IAFF Local 2363. The LRA orders that the newly constituted EMT positions be included in the Fire bargaining unit.

ORDER

By virtue of and pursuant to the powers vested in the Labor Relations Administrator by the Collective Bargaining Ordinance codified in City Code, Chapter 19, Article VII, Collective Bargaining, Sec. 19-201 – 19-218, it is hereby ordered:

- 1. The positions of Medic-FTO, Medic, EMT-FTO, and EMT shall be included in the Fire bargaining unit.**

CHARLOTTESVILLE LABOR RELATIONS ADMINISTRATOR
Sarah Miller Espinosa, J.D.
August 15, 2024