

BUFFALO FISCAL STABILITY AUTHORITY

RESOLUTION 08-47

APPROVAL OF COLLECTIVE BARGAINING AGREEMENT WITH FOOD SERVICE HELPERS AND COOKS REPRESENTED BY AFSCME LOCAL 264

WHEREAS, Chapter 122 of the Laws of 2003, Section 3858(2)(e), requires that during a control period the Buffalo Fiscal Stability Authority (“BFSA”) shall approve or disapprove any collective bargaining agreements binding or purporting to bind the City of Buffalo (“City”); and

WHEREAS, the BFSA is required to promptly review a collective bargaining agreement that is submitted to it and shall disapprove any collective bargaining agreement that is not in compliance with the approved financial plan; and

WHEREAS, the City of Buffalo School District (the “School District”), a covered organization, has submitted to the BFSA a Collective Bargaining Agreement between the School District and Food Service Helpers and Cooks represented by AFSCME Local 264 (“Local 264”); and

WHEREAS, on October 14, 2008, the said members of Local 264 approved a Collective Bargaining Agreement for the period of July 1, 2004 through June 30, 2009, replacing a previous Collective Bargaining Agreement covering the period of July 1, 2000 through June 30, 2004 between the City and Local 264; and

WHEREAS, the City of Buffalo School District submitted such agreement with supporting materials to the BFSA for approval under Section 3858(2)(e) of the Act, and has fully and promptly complied with all information requests of the BFSA; and

WHEREAS, the agreement provides for a ten percent wage increase to Food Service Helpers and Cooks as members of Local 264, in addition to a one-time one hundred and fifty dollar bonus to members, and

WHEREAS, the agreement provides for the terms and conditions of employment for a one year period from the date of BFSA approval and supersedes any other terms and conditions for that period, and

WHEREAS, the City of Buffalo School District will pay for the increased costs of this collective bargaining agreement through the use of preexisting fund balance savings in the Food Service Fund; and

WHEREAS, Food Service Helpers and Cooks, as members of Local 264, withdraw with discontinuance on the merits with prejudice litigation against the City of Buffalo School District and BFSA concerning the steps upon the lifting of the wage freeze, and

WHEREAS, on October 15, 2008, the agreement was approved by the Buffalo Board of Education.

NOW, THEREFORE, BE IT RESOLVED, that the BFSA does hereby approve the aforementioned agreement between the City of Buffalo School District and AFSCME Local 264 (Food Service Helpers and Cooks), with wage increases effective as of October 27, 2008.

This Resolution shall take effect immediately.

Approved November 14, 2008

/S/ George K. Arthur,
Secretary