

Committee on Labor and Civil Service
March 10, 2016

Page 1

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON LABOR AND CIVIL SERVICE

Room 400, City Hall
Philadelphia, Pennsylvania
Thursday, March 10, 2016
1:10 p.m.

PRESENT:

COUNCILWOMAN CHERELLE L. PARKER, CHAIR
COUNCILMAN ALLAN DOMB
COUNCILMAN DEREK S. GREEN
COUNCILMAN BOBBY HENON
COUNCILMAN BRIAN J. O'NEILL
COUNCILMAN AL TAUBENBERGER

BILL 160074 - An ordinance amending Title 22 of The Philadelphia Code, entitled "Public Employees Retirement Code," by amending Section 22-301, entitled "Service Retirement Benefits," and Section 22-401, entitled "Service-Connected Disability Retirement Benefits," to add new subsections requiring a specified minimum monthly benefit amount for certain retired Police employee members...

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2 COUNCILWOMAN PARKER: Good
3 afternoon, everyone. This hearing is
4 called to order. This is a public
5 hearing of the City Council Committee on
6 Labor and Civil Service, and the purpose
7 of this public hearing is to hear
8 testimony on Bill No. 160074.

9 I recognize that the presence
10 of a quorum of the Committee members are
11 in attendance. Thus far we have Cherelle
12 Parker, Chair; Allan Domb; Al
13 Taubenberger; and Derek Green. And we
14 expect other members of the Committee to
15 join us as we proceed.

16 Do any of the other members who
17 are here have any comments or remarks
18 that you want to get on the record,
19 opening remarks?

20 (No response.)

21 COUNCILWOMAN PARKER: Will the
22 Clerk read the title of Bill No. 160074.

23 THE CLERK: An ordinance
24 amending Title 22 of The Philadelphia
25 Code, entitled "Public Employees

1 3/10/16 - LABOR - BILL 160074
2 Retirement Code," by amending Section
3 22-301, entitled "Service Retirement
4 Benefits," and Section 22-401, entitled
5 "Service-Connected Disability Retirement
6 Benefits," to add new subsections
7 requiring a specified minimum monthly
8 benefit amount for certain retired Police
9 employee members, under certain terms and
10 conditions.

11 COUNCILWOMAN PARKER: Will the
12 Clerk please call the first witness to
13 testify on this bill.

14 THE CLERK: Yes. The first
15 witness is John McNesby of the Fraternal
16 Order of Police, Lodge 5.

17 (Witnesses approached witness
18 table.)

19 COUNCILWOMAN PARKER: Good
20 afternoon, Mr. McNesby.

21 MR. McNESBY: Good afternoon.

22 COUNCILWOMAN PARKER: Please
23 state your name for the record and feel
24 free to proceed with your testimony.

25 MR. McNESBY: Thank you. John

1 3/10/16 - LABOR - BILL 160074

2 McNesby, M-C-N-E-S-B-Y, President,
3 Fraternal Order of Police, Lodge No. 5.

4 Thank you to the Committee
5 today for taking the time to hear from
6 the FOP and our side of this important
7 bill, which is very important to our
8 pensioners.

9 I have submitted written
10 testimony, which feel free to look over,
11 but also I would like to introduce the
12 Memorandum of Agreement between the City
13 of Philadelphia and Lodge No. 5 with the
14 Fraternal Order of Police explaining the
15 crux of the ordinance, and it was signed
16 by myself and the City Administration on
17 December 31st of 2015.

18 And basically the crux, what we
19 have is a little bit shy of 400 members
20 of the Fraternal Order of Police who are
21 on pension who are receiving less than a
22 thousand dollars a month, anywhere
23 between \$700 and \$999. In the last
24 interest arbitration regarding the
25 Philadelphia Fire Department, they were

1 3/10/16 - LABOR - BILL 160074

2 awarded an increase for these members
3 that they have on their union membership.
4 We looked at that and decided that we had
5 to do something for our members regarding
6 that, because we hear the complaints
7 daily. We have some of our members that
8 are actually running tabs at the local
9 delicatessen and pizza shop the last
10 five, six days of the month in order to
11 get by and then repay that establishment
12 once they receive their check.

13 So we wanted to do something
14 for these members, at no cost -- and I'll
15 stress -- no cost to the City, and we
16 believe that we have done that with this
17 agreement. And we would finance this.
18 And this is, again, this is a benefit
19 that would cost the City nothing and it
20 would never go up in future years, as
21 these members unfortunately are going to
22 pass off. It will be lower in the next
23 few years.

24 So that's it in a nutshell.

25 COUNCILWOMAN PARKER: Thank

Committee on Labor and Civil Service
March 10, 2016

Page 6

1 3/10/16 - LABOR - BILL 160074

2 you.

3 The Chair wants to recognize
4 the presence of the Vice Chair of the
5 Labor and Civil Service Committee,
6 Councilman Brian O'Neill.

7 Councilman, do you have any
8 comments you wanted to make?

9 COUNCILMAN O'NEILL: I just
10 want to say for the record, because it
11 should be put into the record, this
12 administration at the Fraternal Order of
13 Police has done some unbelievable things
14 for their members in terms of contracts
15 and other issues, and this just gets
16 added to the list. And for it to be done
17 without any cost to the City, I'm pretty
18 much sure that you'll have a unanimous
19 vote.

20 MR. McNESBY: I hope so.

21 COUNCILMAN O'NEILL: Thank you.
22 And happy birthday.

23 MR. McNESBY: Thank you,
24 Councilman. Thank you.

25 COUNCILWOMAN PARKER: Thank

1 3/10/16 - LABOR - BILL 160074

2 you, Councilman O'Neill.

3 Councilman Green.

4 COUNCILMAN GREEN: Yes. I just
5 wanted to say on the record I want to
6 thank President McNesby and all the
7 members of FOP Lodge 5 for your advocacy
8 for your retirees and also doing such in
9 a way that's fiscally responsible for the
10 City of Philadelphia. As a nephew of a
11 former police officer who is no longer
12 with us and of a police officer who
13 retired some years ago, I know it's a
14 benefit that it's good to have advocacy
15 like yours for retirees.

16 MR. McNESBY: Thank you,
17 Councilman Green.

18 COUNCILWOMAN PARKER: Thank
19 you.

20 Are there any other questions?
21 Councilman Taubenberger.

22 COUNCILMAN TAUBENBERGER: Yes.
23 I just want to also say for the record
24 this is, I think, a great agreement, and
25 wherever you can help retirees, I think

1 3/10/16 - LABOR - BILL 160074

2 that is very important. I also chair and
3 actually with my Vice Chair right here --
4 in fact, some of our members are here
5 from the Committee on Aging. This is
6 something very specially done that you're
7 looking out for them, and the fact that
8 it doesn't cost the City any money is
9 very, very admirable and should be
10 thanked by not just our Committee but all
11 City Council and all City government
12 workers as well as something that's
13 really thinking out of the box and
14 something special.

15 MR. McNESBY: Councilman
16 Taubenberger, thank you very much for
17 those words.

18 COUNCILMAN TAUBENBERGER:
19 You're welcome.

20 COUNCILWOMAN PARKER: Thank
21 you.

22 The Chair would like to note
23 the presence of Councilman Henon, who has
24 just joined us.

25 And if there is anyone else who

1 3/10/16 - LABOR - BILL 160074

2 has any question or, Councilman Henon,
3 would you like to make any comments
4 relative to this bill?

5 COUNCILMAN HENON: Thank you so
6 much, Madam Chair.

7 And thank you for your extreme
8 due diligence into matters regarding
9 labor and civil service, especially when
10 it comes to pensions, and thank you for
11 your testimony. I was listening in the
12 other room and understand the issue at
13 large.

14 I just wanted to state for the
15 record that the Administration will be
16 sending up a letter acknowledging --
17 well, not even acknowledging. The
18 Administration will be sending up a
19 letter stating it publicly that if
20 there's any unanswered questions, they
21 will make sure that the questions will be
22 answered before the final passage of this
23 bill publicly.

24 COUNCILWOMAN PARKER: Thank
25 you.

1 3/10/16 - LABOR - BILL 160074

2 The Chair recognizes Councilman
3 Domb.

4 COUNCILMAN DOMB: This is great
5 for the City, no cost. It's amazing.
6 You guys have done a good job in a lot of
7 areas. I just want to join my fellow
8 Councilpeople, but I will say this:
9 Besides the pension not costing -- this
10 proposal not costing the City money, I
11 know you've done a very good job in the
12 health program for the police too.
13 Anything you can share with the rest of
14 the City would be greatly appreciated by
15 all of us, because you guys are doing it
16 right. So thank you very much.

17 MR. McNESBY: Thank you,
18 Councilman.

19 COUNCILWOMAN PARKER: Thank
20 you.

21 Well, if you have no further
22 comments, this concludes the public
23 hearing on Bill No. -- there are no other
24 witnesses scheduled to testify?

25 MR. McNESBY: No.

1 3/10/16 - LABOR - BILL 160074

2 COUNCILWOMAN PARKER: Okay.

3 Thank you.

4 MR. McNESBY: Thank you,
5 Chairperson Parker. We appreciate your
6 time and the Committee's time on this
7 important issue. Thank you.

8 COUNCILWOMAN PARKER: Thank
9 you, Mr. McNesby.

10 This concludes the public
11 hearing on Bill No. 160074. We will now
12 go into a public meeting to consider the
13 action to be taken on the bill.

14 With this in mind, the Chair
15 recognizes Councilman O'Neill for a
16 motion on Bill No. 160074.

17 COUNCILMAN O'NEILL: Thank you,
18 Madam Chair. I move that Bill No. 160074
19 be reported out of this Committee with a
20 favorable recommendation and that the
21 rules of Council be suspended so as to
22 allow first reading at the next session
23 of Council.

24 (Duly seconded.)

25 COUNCILWOMAN PARKER: It's been

1 3/10/16 - LABOR - BILL 160074

2 moved and properly seconded that Bill No.
3 160074 be reported from this Committee
4 with a favorable recommendation and
5 further moved that the rules of Council
6 be suspended so to permit first reading
7 of this bill at the next session of
8 Council.

9 All those in favor of this
10 motion will signify by saying aye.

11 (Aye.)

12 COUNCILWOMAN PARKER: Those
13 opposed?

14 (No response.)

15 COUNCILWOMAN PARKER: The ayes
16 have it and the motion carries. Bill No.
17 160074 will be reported from this
18 Committee with a favorable recommendation
19 with a request that the rules of Council
20 be suspended so to permit first reading
21 at the next session of Council.

22 This officially concludes the
23 business of the Committee on Labor and
24 Civil Service today. We want to thank
25 you all so very much for your

Committee on Labor and Civil Service
March 10, 2016

Page 13

1 3/10/16 - LABOR - BILL 160074

2 participation. Have a good day.

3 (Committee on Labor and Civil
4 Service concluded at 1:20 p.m.)

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CERTIFICATE

I HEREBY CERTIFY that the
proceedings, evidence and objections are
contained fully and accurately in the
stenographic notes taken by me upon the
foregoing matter, and that this is a true and
correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

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Committee on Labor and Civil Service
March 10, 2016

Page 1

A	believe 5:16	10:5,10,14	7:21,22	expect 2:14	happy 6:22	looked 5:4	never 5:20
accurately	benefit 1:18	civil 1:3 2:6	8:15,18,23	explaining	health 10:12	looking 8:7	new 1:17 3:6
14:5	3:8 5:18	6:5 9:9	9:2,5 10:2,4	4:14	hear 2:7 4:5	lot 10:6	note 8:22
acknowledg...	7:14	12:24 13:3	10:18 11:15	extreme 9:7	5:6	lower 5:22	notes 14:6
9:16,17	Benefits 1:16	Clerk 2:22,23	11:17	F	hearing 2:3,5	M	nutshell 5:24
action 11:13	1:17 3:4,6	3:12,14	Councilpeo...	fact 8:4,7	2:7 10:23	M-C-N-E-S...	O
add 1:17 3:6	bill 1:14 2:8	Code 1:15,15	10:8	far 2:11	11:11	4:2	O'Neill 1:12
added 6:16	2:22 3:1,13	2:25 3:2	COUNCIL...	favor 12:9	help 7:25	Madam 9:6	6:6,9,21 7:2
administrat...	4:1,7 5:1	comes 9:10	1:10 2:2,21	favorable	Henon 1:11	11:18	11:15,17
4:16 6:12	6:1 7:1 8:1	comments	3:11,19,22	11:20 12:4	8:23 9:2,5	March 1:7	objections
9:15,18	9:1,4,23	2:17 6:8 9:3	5:25 6:25	12:18	hope 6:20	matter 14:7	14:4
admirable	10:1,23	10:22	7:18 8:20	feel 3:23 4:10	I	matters 9:8	officer 7:11
8:9	11:1,11,13	Committee	9:24 10:19	fellow 10:7	important	McNesby	7:12
advocacy 7:7	11:16,18	1:3 2:5,10	11:2,8,25	final 9:22	4:6,7 8:2	3:15,20,21	officially
7:14	12:1,2,7,16	2:14 4:4 6:5	12:12,15	finance 5:17	11:7	3:25 4:2	12:22
afternoon 2:3	13:1	8:5,10	crux 4:15,18	Fire 4:25	increase 5:2	6:20,23 7:6	Okay 11:2
3:20,21	birthday 6:22	11:19 12:3	D	first 3:12,14	interest 4:24	7:16 8:15	once 5:12
Aging 8:5	bit 4:19	12:18,23	daily 5:7	11:22 12:6	introduce	10:17,25	opening 2:19
ago 7:13	BOBBY 1:11	13:3	day 13:2	12:20	4:11	11:4,9	opposed
agreement	box 8:13	Committee's	days 5:10	fiscally 7:9	issue 9:12	means 14:22	12:13
4:12 5:17	Brian 1:12	11:6	December	five 5:10	11:7	meeting	order 2:4
7:24	6:6	complaints	4:17	FOP 4:6 7:7	issues 6:15	11:12	3:16 4:3,14
Al 1:12 2:12	business	5:6	decided 5:4	foregoing	J	members	4:20 5:10
Allan 1:10	12:23	concluded	delicatessen	14:7,20	J	1:18 2:10	6:12
2:12	C	13:4	5:9	former 7:11	J 1:12	2:14,16 3:9	ordinance
allow 11:22	call 3:12	concludes	Department	Fraternal	job 10:6,11	4:19 5:2,5,7	1:14 2:23
amazing 10:5	called 2:4	10:22 11:10	4:25	3:15 4:3,14	John 3:15,25	5:14,21	4:15
amending	carries 12:16	12:22	Derek 1:11	4:20 6:12	join 2:15 10:7	6:14 7:7 8:4	P
1:14,15	certain 1:18	conditions	2:13	free 3:24 4:10	joined 8:24	membership	p.m 1:7 13:4
2:24 3:2	3:8,9	3:10	diligence 9:8	fully 14:5	K	5:3	Parker 1:10
amount 1:18	CERTIFIC...	11:12	direct 14:23	further 10:21	know 7:13	Memorand...	2:2,12,21
3:8	14:2	contained	Disability	12:5	10:11	4:12	3:11,19,22
and/or 14:23	certification	14:5	1:17 3:5	future 5:20	L	MICHELE	5:25 6:25
answered	14:20	contracts	doing 7:8	G	L	14:14	7:18 8:20
9:22	CERTIFY	6:14	10:15	go 5:20 11:12	L 1:10 14:14	mind 11:14	9:24 10:19
apply 14:21	14:3	control 14:23	dollars 4:22	going 5:21	labor 1:3 2:6	minimum	11:2,5,8,25
appreciate	certifying	correct 14:8	Domb 1:10	good 2:2 3:19	3:1 4:1 5:1	money 8:8	12:12,15
11:5	14:24	cost 5:14,15	2:12 10:3,4	3:21 7:14	6:1,5 7:1	10:10	participation
appreciated	chair 1:10	5:19 6:17	due 9:8	10:6,11	8:1 9:1,9	month 4:22	13:2
10:14	2:12 6:3,4	8:8 10:5	Duly 11:24	13:2	10:1 11:1	5:10	pass 5:22
approached	8:2,3,22 9:6	costing 10:9	E	government	12:1,23	monthly 1:18	passage 9:22
3:17	10:2 11:14	10:10	employee	8:11	13:1,3	3:7	Pennsylvania
arbitration	11:18	Council 1:2	1:18 3:9	great 7:24	large 9:13	motion 11:16	1:6
4:24	Chairperson	2:5 8:11	Employees	10:4	letter 9:16,19	12:10,16	pension 4:21
areas 10:7	11:5	11:21,23	1:15 2:25	greatly 10:14	list 6:16	move 11:18	10:9
attendance	check 5:12	12:5,8,19	entitled 1:15	Green 1:11	listening 9:11	moved 12:2,5	pensioners
2:11	Cherelle 1:10	12:21	1:16,16	2:13 7:3,4	little 4:19	MURPHY	4:8
awarded 5:2	2:11	Councilman	2:25 3:3,4	7:17	local 5:8	14:14	pensions 9:10
aye 12:10,11	City 1:2,6 2:5	1:10,11,11	especially 9:9	guys 10:6,15	Lodge 3:16	N	permit 12:6
ayes 12:15	4:12,16	1:12,12 6:6	establishme...	H	4:3,13 7:7	name 3:23	12:20
B	5:15,19	6:7,9,21,24	5:11	Hall 1:6	longer 7:11	nephew 7:10	Philadelphia
basically 4:18	6:17 7:10	7:2,3,4,17	evidence 14:4		look 4:10		1:2,6,15
	8:8,11,11						

Committee on Labor and Civil Service
March 10, 2016

Page 2

2:24 4:13 4:25 7:10 pizza 5:9 please 3:12 3:22 police 1:18 3:8,16 4:3 4:14,20 6:13 7:11 7:12 10:12 presence 2:9 6:4 8:23 PRESENT 1:9 President 4:2 7:6 pretty 6:17 proceed 2:15 3:24 proceedings 14:4 program 10:12 properly 12:2 proposal 10:10 public 1:15 2:4,7,25 10:22 11:10 11:12 14:15 publicly 9:19 9:23 purpose 2:6 put 6:11	recommend... 11:20 12:4 12:18 record 2:18 3:23 6:10 6:11 7:5,23 9:15 regarding 4:24 5:5 9:8 relative 9:4 remarks 2:17 2:19 repay 5:11 reported 11:19 12:3 12:17 reporter 14:24 reproduction 14:21 request 12:19 requiring 1:17 3:7 response 2:20 12:14 responsible 7:9 rest 10:13 retired 1:18 3:8 7:13 retirees 7:8 7:15,25 Retirement 1:15,16,17 3:2,3,5 right 8:3 10:16 room 1:6 9:12 RPR-Notary 14:15 rules 11:21 12:5,19 running 5:8	9:18 service 1:3,16 2:6 3:3 6:5 9:9 12:24 13:4 Service-Co... 1:17 3:5 session 11:22 12:7,21 share 10:13 shop 5:9 shy 4:19 side 4:6 signed 4:15 signify 12:10 six 5:10 special 8:14 specially 8:6 specified 1:18 3:7 state 3:23 9:14 stating 9:19 stenographic 14:6 stress 5:15 submitted 4:9 subsections 1:17 3:6 supervision 14:23 sure 6:18 9:21 suspended 11:21 12:6 12:20	4:4 5:25 6:21,23,24 6:25 7:6,16 7:18 8:16 8:20 9:5,7 9:10,24 10:16,17,19 11:3,4,7,8 11:17 12:24 thanked 8:10 things 6:13 think 7:24,25 thinking 8:13 thousand 4:22 Thursday 1:7 time 4:5 11:6 11:6 title 1:14 2:22 2:24 today 4:5 12:24 transcript 14:8,21 true 14:7	witnesses 3:17 10:24 words 8:17 workers 8:12 written 4:9	7 700 4:23 8 9 999 4:23		
Q question 9:2 questions 7:20 9:20 9:21 quorum 2:10	responsible 7:9 rest 10:13 retired 1:18 3:8 7:13 retirees 7:8 7:15,25 Retirement 1:15,16,17 3:2,3,5 right 8:3 10:16 room 1:6 9:12 RPR-Notary 14:15 rules 11:21 12:5,19 running 5:8	T table 3:18 tabs 5:8 taken 11:13 14:6 Taubenber... 1:12 2:13 7:21,22 8:16,18 terms 3:9 6:14 testify 3:13 10:24 testimony 2:8 3:24 4:10 9:11 thank 3:25	U unanimous 6:18 unanswered 9:20 unbelievable 6:13 understand 9:12 unfortunat... 5:21 union 5:3	U unanimous 6:18 unanswered 9:20 unbelievable 6:13 understand 9:12 unfortunat... 5:21 union 5:3	7 700 4:23 8 9 999 4:23		
R read 2:22 reading 11:22 12:6,20 really 8:13 receive 5:12 receiving 4:21 recognize 2:9 6:3 recognizes 10:2 11:15	S S 1:11 saying 12:10 scheduled 10:24 seconded 11:24 12:2 Section 1:16 1:16 3:2,4 sending 9:16	T table 3:18 tabs 5:8 taken 11:13 14:6 Taubenber... 1:12 2:13 7:21,22 8:16,18 terms 3:9 6:14 testify 3:13 10:24 testimony 2:8 3:24 4:10 9:11 thank 3:25	V Vice 6:4 8:3 vote 6:19	V Vice 6:4 8:3 vote 6:19	7 700 4:23 8 9 999 4:23		
			W want 2:18 6:10 7:5,23 10:7 12:24 wanted 5:13 6:8 7:5 9:14 wants 6:3 way 7:9 welcome 8:19 witness 3:12 3:15,17	W want 2:18 6:10 7:5,23 10:7 12:24 wanted 5:13 6:8 7:5 9:14 wants 6:3 way 7:9 welcome 8:19 witness 3:12 3:15,17	7 700 4:23 8 9 999 4:23		
				Y years 5:20,23 7:13	7 700 4:23 8 9 999 4:23		
				Z 0 1 1:10 1:7 1:20 13:4 10 1:7 160074 1:14 2:8,22 3:1 4:1 5:1 6:1 7:1 8:1 9:1 10:1 11:1 11:11,16,18 12:1,3,17 13:1	7 700 4:23 8 9 999 4:23		
				2 2015 4:17 2016 1:7 22 1:14 2:24 22-301 1:16 3:3 22-401 1:16 3:4	7 700 4:23 8 9 999 4:23		
				3 3/10/16 3:1 4:1 5:1 6:1 7:1 8:1 9:1 10:1 11:1 12:1 13:1 31st 4:17	7 700 4:23 8 9 999 4:23		
				4 400 1:6 4:19	7 700 4:23 8 9 999 4:23		
				5 5 3:16 4:3,13 7:7	7 700 4:23 8 9 999 4:23		
				6	7 700 4:23 8 9 999 4:23		