

Big PBA Win for Municipal Police Officers

September 29, 2003

On Tuesday, September 23, 2003, Administrative Law Judge Don Davis ruled against the legal challenge mounted by the Florida League of Cities in its attempt to keep new premium tax revenue money from being used in its entirety to fund new "extra benefits" for municipal police officers and firefighters.

A little history:

Legislation was signed into law by Governor Bush on March 12, 1999, which stipulated that new "extra benefits" be funded from new premium tax revenue money. Following the change in law the Division of Retirement (DOR) began forcing cities to abide, but the League challenged the DOR for failing to adopt a rule to implement the legislation. The DOR adopted a rule of implementation; however, the League issued another challenge to the DOR by challenging the rule as inconsistent with the legislation. Meanwhile, some municipal police officers and firefighters were not receiving new "extra benefits" from the new premium tax revenue monies the cities were receiving. The ruling by Judge Davis finally allows the DOR to enforce its rule and the law on cities that fail to comply. Only the Florida Police Benevolent Association, the Florida Professional Firefighters and the Division of Retirement were present at all the hearings to challenge the Florida League of Cities' claims. The Fraternal Order of Police (FOP) and International Union of Police Association (IUPA), as in our Supreme Court case for deputy sheriff collective bargaining, were again missing in action and did not help the affected municipal police officers.

We congratulate PBA's General Counsel Hal Johnson for yet another successful legal victory. Hal has won two lengthy legal battles this year: (1) the Florida Supreme Court case of Coastal Florida PBA v. Sheriff Phil Williams which granted deputy sheriffs the right to collective bargaining; and (2) this "Extra Benefits" Pension rule case.

We continue to place our names and reputations on the line in order to ensure police officers throughout Florida are treated properly under the law. This latest PBA/Firefighter win against the League of Cities will help ensure that the more than \$80 million in premium taxes going to cities every year will be spent properly - on the officer's pensions.