

Nov. 4, 2022

Here is my written statement in response to the Bryan Firefighters Association Union President Daniel Buford's false claims that the City of Bryan has been unresponsive in negotiations of the Meet and Confer Agreement renewal. I told the union president that I would present the union's proposal at the next City Council meeting, but he has decided to not wait for the City Council to be informed.

This issue is not with our fire department or firefighters, but with the union. I doubt the public or majority of the firefighters know about the alarming agreement additions that have been proposed by the union president.

Here are some of the union's proposals that I believe undermine the integrity of our fire department and would put the safety of our citizens and firefighters at high risk.

Article XXV

- Would allow firefighters to be beyond legally intoxicated while on duty with an alcohol level up to 0.10 grams per 210 L of breath and 0.10 grams per 100 ml of blood, a level exceeding state law, while on duty. The legal limit in Texas is 0.08 before a person is legally intoxicated.
- Similarly, the union president proposed a testing limit of 300 ng/mL for marijuana, which is twice the level by approved testing facilities used by St. Joseph Health.
- Would prohibit random drug testing, which many cities perform for safety-sensitive positions, and would only allow drug testing if a firefighter is involved in a fatal or serious bodily injury accident or in an accident involving substantial damage.
- The union proposes removing the city's zero tolerance policy on drug and alcohol usage while on duty recommending automatic rehabilitation instead of initiating disciplinary measures.
- If a firefighter goes through drug or alcohol rehabilitation, two years after treatment, the firefighter's file would be purged of any reference to the problem.

While several articles within the union's proposed agreement are cause for great concern, this article puts the safety of citizens and firefighters at extreme risk. I cannot and will not put citizens in a position to be transported or treated by legally intoxicated firefighters.

Article XV

- This new addition would require the city to completely cover firefighters' health insurance. The city cannot justify providing firefighters with free health insurance coverage when all other city employees pay for their own health insurance.

Article XXXIII

- Would allow firefighters, who are also union members, to be paid by the taxpayers while off duty conducting union business and the firefighters covering their shift would be paid overtime. Examples would be lobbying or political action committee activities.

The union president, who does not live in Brazos County, has indicated that the City Council should raise taxes to fund the shocking requests that he has proposed for agreement amendments. 87% of the city's general fund revenues from property and sales tax already go to fund public safety. Our firefighters are paid competitively and commensurate with other cities our size, and have some of the best benefits, equipment and training in the state.

The union president also told the entire union membership that he does not trust our Fire Chief or command staff. As City Manager, I trust our Fire Chief with over 40 years of experience fighting fires in both the military and the San Antonio Fire Department, one of the largest fire departments in the nation. The Fire Chief understands the needs of our fire department as well as the city and knows we all have to work together to provide top notch services for our citizens.

I can assure you that the City Council and I support public safety. It is our responsibility to ensure the safety of all employees; inclusive of police, utilities and public works, who also have high-risk jobs.

Supplemental documents to reference:

- Proposed Meet and Confer Agreement (*additions and changes made by the union are highlighted in yellow*)
- Summary of Local Government Code Chapter 142

Kean Register
City Manager
Bryan, Texas