

2015 Negotiations between
City of Corpus Christi &
Corpus Christi Fire Fighters Association

TENTATIVE AGREEMENT

**ARTICLE 35
COMPLETE AGREEMENT/PAST PRACTICE**

Section 1. Complete Agreement.

This document constitutes the sole and complete agreement between the parties. It supersedes all prior oral or written agreements or understandings between the parties except for those protected by the express provisions of this Agreement, including those protected by Section 2 and 3 of this Article. During the term of the Agreement neither party shall be obligated to bargain collectively with the other with respect to any subject; provided, this provision does not affect any obligation which may exist to negotiate a successor contract effective after the expiration of this Agreement, or any specific obligation to negotiate that is specifically provided in this Agreement.

Section 2. Past Practice.

During the term of this Agreement, except as authorized in Section 3 below, the parties recognize that some employment conditions not specifically identified in this Agreement, to the extent they involve mandatory bargaining subjects, may be protected by the established past practice of the parties. The Association shall have the burden of proof to establish the existence of the claimed past practice by a preponderance of the evidence. However, nothing in this Agreement waives any defenses or exceptions the City may have to a past practice claim.


Section 3. Limited Exception to Past Practice

The City may change those employment conditions otherwise protected by Section 2 above if they are demonstrated, in accordance with this Section, to materially interfere with the operation of the Department. Any such changes must be made in good faith, must not be greater in scope than is necessary to protect the affected Department operations, must be reasonable and not discriminatory, must be reasonably related to the safe and orderly operation of the Fire Department, and must not conflict with any state or federal law, governmental regulation, or provision of this Agreement. With the exception of an emergency or extreme condition, Department management will provide the Association with reasonable notice and an opportunity to discuss any changes made under this Section prior to its implementation.

Agreed this 7th day of October, 2015:



Johnny R. Stobbs



Roxana I. Pérez Stevens