



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL **DATE: MARCH 2, 2021**

FROM: HUMAN RESOURCES DEPARTMENT **WARDS: ALL**

SUBJECT: REVISIONS TO MEMORANDUM OF UNDERSTANDING WITH THE SERVICE EMPLOYEES' INTERNATIONAL UNION LOCAL 721, REFUSE UNIT AND RELATED REVISIONS TO THE FRINGE BENEFIT AND SALARY PLAN

ISSUE:

Approval of the successor Memorandum of Understanding with the Service Employees' International Union Local 721, Refuse Unit.

RECOMMENDATION:

That the City Council:

1. Approve the attached Memorandum of Understanding effective July 1, 2020 through June 30, 2022, which incorporates the negotiated revisions;
2. Authorize the City Manager, or his designee, to execute the Memorandum of Understanding on behalf of the City, including making minor and non-substantive changes; and
3. Adopt the attached Resolution amending the Master Fringe Benefits and Salary Plan to reflect the revised MOU provisions as outlined in Exhibit A attached thereto.

BACKGROUND:

The City entered into, and has successfully concluded, labor negotiations with the Service Employees' International Union (SEIU) Local 721, Refuse Unit.

The specific Memorandum of Understanding (MOU) changes were ratified and approved by the SEIU Refuse Unit, its members and their legal counsel in January 2021. The fundamental terms of the MOU have been agreed upon by the parties and are reflected in the attached Tentative Agreement and the redline MOU reflecting all changes agreed upon.

Summary of MOU Terms:

Provisions of the tentative agreements were ratified by the union in January 2021 and are herein presented for the City Council's approval:

1. Article 1 - Salaries
 - Section A - Added the SEIU, Local 721 General Unit to the list of employee organizations for whom an increase in salary would result in an increase to the salaries for Refuse members as part of the contract's "me too" language
 - Section B (New) – Added language regarding a classification and compensation study that aligns with comparable language included in SEIU, Local 721 General Unit MOU
2. Article 3 - Group Health Insurance Programs
 - Section A –
 - Subsection 1 (New) – Revised to establish the City's contribution to employee's health insurance premiums
3. Article 4 - Retirement
 - Section A – Revised to align with comparable language included in SEIU, Local 721 General Unit MOU regarding employee's contributions to CalPERS pensions plans
4. Article 5 - Hours
 - Section B – Added that SEIU, Local 721 members may elect to receive compensatory time off ("CTO") rather than cash payments through June 30, 2022
5. Article 6 - Hours
 - Section B – Added that the City will continue to recruit for Refuse Operator and Senior Operator positions when a vacancy for either such positions exists
6. Article 9 - Training
 - Section B – Added that the City will provide training for positions within the department
7. Article 10 – Job Security
 - Sections C - P (New) – Added layoff language that, with certain modifications, aligns with comparable language included in SEIU, Local 721 General Unit MOU
8. Article 16 – Holidays
 - Section A – Subsections 5 – 6 - Updated the agreement to add clarifying language concerning the compensation rate for certain holiday work
9. Article 27 – Dues Deduction, COPE, and Indemnification
 - Sections A – C - Updated the agreement to align language with SEIU General Unit on dues deductions, COPE, and indemnification
10. Article 28 – New Employee Orientation
 - Sections A – C - Updated the agreement to align language with SEIU General Unit on dues deductions, COPE, and indemnification

11. Article 32 – Term of Agreement

- Updated the agreement to provide a two-year term for the agreement from July 1, 2020 through June 30, 2022.

The final approved MOU will be approved by City Attorney once it is signed and approved by SEIU.

FISCAL IMPACT:

The revisions to the MOU predominantly result in non-financial changes. There is no material financial impact to the General Fund.

Prepared by:	Rene Goldman, Human Resources Director
Certified as to availability of funds:	Edward Enriquez, Chief Financial Officer/City Treasurer
Approved by:	Rafael Guzman, Assistant City Manager
Approved as to form:	Kristi J. Smith, Interim City Attorney

Attachments:

1. Comprehensive Memorandum of Understanding for SEIU Local 721 Refuse Unit
2. Resolution Amending the Fringe Benefits and Salary Plan
 - a. Exhibit A – Amended Fringe Benefits and Salary Plan