



CITY OF OAKLAND

# AGENDA REPORT

**TO:** DEANNA J. SANTANA  
CITY ADMINISTRATOR

**FROM:** LaWanna Preston  
Employee Relations  
Director

**SUBJECT:** Adopt a Resolution Approving the Memorandum of Understanding between the City of Oakland and the International Federation of Professional and Technical Engineers Union Local 21 Deputy City Attorney V and Special Counsel for the period of July 1, 2013, through June 30, 2015.

**DATE:** July 23, 2013

City Administrator  
Approval

Date

7/25/13

**COUNCIL DISTRICT:** City-Wide

## RECOMMENDATION

Staff Recommends that Council Adopt a Resolution Approving the Memorandum of Understanding between the City of Oakland and the International Federation of Professional and Technical Engineers Union Local 21 Deputy City Attorney V and Special Counsel, Representing Employees in Bargaining Unit U41 and Covering the Period from July 1, 2013 to June 30, 2015.

## OUTCOME

The City of Oakland has reached a tentative agreement on wages and other terms and conditions of employment with the International Professional and Technical Engineers Union Local 21 Deputy City Attorney V and Special Counsel. Key provisions include represented employees shall receive a cost of living adjustment of two percent (2%) effective July 1, 2013 and one percent (1%) effective July 1, 2014; and additional language updates and revisions.

## BACKGROUND/LEGISLATIVE HISTORY

The current Memorandum of Understanding between the City of Oakland and IFPTE Local 21 Deputy City Attorney V and Special Counsel (DCAVSCA) expired June 30, 2013. This labor agreement represents the culmination of negotiations that began in the spring of 2013 with representatives of DCAVSCA, who represent approximately eight (8) employees in the City of Oakland. Items of significance include represented employees shall receive a cost of living adjustment of two percent (2%) effective July 1, 2013 and one percent (1%) effective July 1, 2014.

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## ***OTHER SIGNIFICANT TENTATIVE AGREEMENTS***

### Professional Development

The City shall allow employees' to defer Professional Development reimbursement in one fiscal year and receive two years of reimbursement in the following fiscal year.

### Voluntary Leave Without Pay (VTN)

Represented employees shall be permitted to apply for VTN at any time during the year, which is a change from only permitting employees to apply during two specified times in the year.

### Acting Pay

In cases where there is a permanent vacancy or a temporary vacancy (more than 120 days as specified in the Civil Service Rules), the City Attorney or designees shall post the acting opportunities for a minimum of 10 working days.

### Medical and Dependent Care Reimbursement Plan

If a represented employee receives medical insurance coverage through their spouse or partner and elects not to receive City paid medical coverage, the represented employee shall receive either \$325.00 per month in cash or to may elect to have a portion of this payment up to the maximum amounts (DCAP \$5,000.00/MCAP \$2,500.00) paid into the employee's MCAP or DCAP. If the savings are not equal to or greater than the increased cost, than the amount of the In-Lieu contribution for Calendar year 2015 shall be reduced to two hundred and fifty (\$250.00) per month.

### Family Death Leave

The tentative agreement added, for the purpose of immediate family, brother-in-law, sister-in-law, son-in-law, daughter-in-law, aunt, uncle, niece and nephew.

### Side Letter Agreements

#### COBRA Supplement Fund

On July 20, 2009, the City and the Union entered into a Side Letter Regarding COBRA Supplement Fund. Pursuant to that agreement, the Union agreed to suspend professional development allowances for FY09-10 and FY 10-11 in return for the establishment of a fund to provide laid off represented employees reimbursement for the cost of purchasing continuation medical coverage under the Comprehensive Omnibus Budget Reconciliation Act of 1986 (COBRA). The Side Letter was subsequently extended through June 30, 2013. Since there are still funds in this account, the City and the Union now desire to extend the Side Letter through June 30, 2015.

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**PUBLIC OUTREACH**

No public outreach was required.

**COST SUMMARY/IMPLICATIONS**

The economic breakdown is as follows:

	FY 2013-14	FY 2014-15
COLA	\$36,633	\$18,498
Other Economic Items	\$1,113	\$1,113
<b>TOTAL</b>	<b>\$37,746</b>	<b>\$37,746</b>

**SUSTAINABLE OPPORTUNITIES**

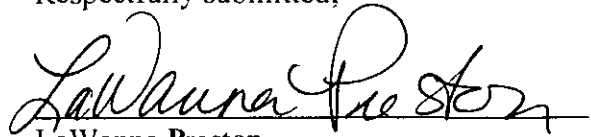
There are no economic opportunities associated with this report.

There are no environmental opportunities associated with this report.

There are no social equity opportunities associated with this report.

For questions regarding this report, please contact LaWanna Preston, Employee Relations Director, at (510) 238-6466.

Respectfully submitted,



LaWanna Preston  
Employee Relations Director

Prepared by:  
Sonia Lara  
Principal Human Resource Analyst  
CAO/Employee Relations Department

Attachment – Council Resolution

Item: \_\_\_\_\_  
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FILED  
OFFICE OF THE CITY CLERK  
OAKLAND  
2013 JUL 26 AM 10:42

Approved as to Form and Legality



City Attorney

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

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RESOLUTION APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF OAKLAND AND THE DEPUTY CITY ATTORNEY V AND SPECIAL COUNSEL, REPRESENTING EMPLOYEES IN REPRESENTATION UNIT U41, FOR THE PERIOD OF JULY 1, 2013 THROUGH JUNE 30, 2015

WHEREAS, the Memorandum of Understanding to be entered into between the City of Oakland and the Deputy City Attorney V and Special Counsel has been presented to the City Council for determination pursuant to Section 3505.1 of the Government Code of the State of California: and

WHEREAS, the key provisions of the Memorandum of Understanding are described in the Report from the City Administrator dated July 30, 2013; and

WHEREAS, the terms and conditions contained in said Memorandum of Understanding are in the best interests of the City; now, therefore, be it

**RESOLVED:** That said agreement be, and is, hereby approved; and be it

**FURTHER RESOLVED:** That the provisions of said Memorandum of Understanding are effective as of July 1, 2013.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERNIGHAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_

LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California