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OAKLAND

2019 FEB 21 PM 12:30

## AGENDA REPORT

**TO:** Sabrina B. Landreth  
City Administrator

**FROM:** Ian Appleyard  
Human Resources  
Management Director

**SUBJECT:** Approve the Contract Extension  
Between the City of Oakland and  
CMEA and Salary Ordinance  
Amendment

**DATE:** February 20, 2019

City Administrator Approval

Date:

2/21/19

### RECOMMENDATION

**Staff Recommends That The City Council:**

- 1) **Adopt a Resolution Approving the Contract Extension to the Memorandum of Understanding between the City of Oakland and the Confidential Management Employees Association Representing Employees in Representation Unit U31 Covering the Period of July 1, 2019 to June 30, 2021; And**
- 2) **Amend the Salary Schedule of Ordinance 12187 C.M.S. (The Salary Ordinance) to Provide Wage Increases to Represented Employees in Representation Unit U31 Pursuant to the Memorandum of Understanding Between the City of Oakland and the Confidential Management Employees Association as Follows: Increase of 2% Effective the First Full Pay Period of July 2019 and an Increase of 2% Effective the First Full Pay Period of July 2020.**

### EXECUTIVE SUMMARY

The City of Oakland has reached a tentative agreement on a contract extension with the Confidential Management Employees Association ("CMEA"). The term of the agreement is from July 1, 2019 through June 30, 2021. The proposed amendment to the Salary Ordinance has been prepared to provide a 2% wage increase that increases the salaries of the City's members in CMEA effective the first full pay period in July 2019 and an additional 2% wage increase effective the first full pay period in July 2020.

### BACKGROUND/LEGISLATIVE HISTORY

The current Memorandum of Understanding ("MOU") between the City of Oakland and CMEA is scheduled to expire on June 30, 2019. In February 2019 as the parties prepared for successor

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negotiations, the City and CMEA reached a tentative agreement on a contract extension that provided two wage increases and a parity agreement should the City reach an agreement with another miscellaneous union that provides wage increases that exceed that agreed to by CMEA.<sup>1</sup> (**Attachment 1**)

### **ANALYSIS**

Approval of the proposed Resolution is necessary to adopt the MOU between the City and CMEA. The Association's ratification date was on or about Friday, February 15, 2019. This report, Salary Ordinance amendment, and Resolution are being prepared for Council approval and authorization following CMEA's ratification. A Salary Ordinance amendment requires two readings, so it will be presented for its first reading on February 26, 2019 for consideration and approval, and a second reading on March 12, 2019. If for any reason the MOU is not finalized or approved, the Salary Ordinance amendment could be canceled or delayed if required. The following is a summary of the key provisions of the tentative agreements:

**Article 5:** Compensation. A wage increase of 2% effective the first full pay period in July 2019 and an additional 2% wage increase effective the first full pay period in July 2020,

**Article 16:** Duration and Parity. The duration of the agreement is effective through June 30, 2021. City agrees CMEA members shall receive the same wage increase of any other recognized miscellaneous employee organization.

### **FISCAL IMPACT**

The cost of the new labor agreement with CMEA is approximately \$0.14 million in Fiscal Year (FY) 2019-20 and \$0.29 million in FY 2020-21, for a total cost of \$0.43 million over the two-year term across all funds. In the General Purpose Fund (GPF), the cost of the agreement is \$0.09 million in FY 2019-20 and \$0.19 million in FY 2020-21, for a total two-year cost of \$0.28 million. These costs will need to be built into the FY 2019-21 Biennial Budget.

The total costs associated with the contract include the general wage increases of 2.0% effective with the first full pay period in July 2019 and an additional 2.0% wage increase effective with the first full pay period in July 2020. The costs of the agreement would be higher if the parity language is triggered.

### **PUBLIC OUTREACH / INTEREST**

No public outreach is required.

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<sup>1</sup> The City and CMEA also tentatively agreed to extend the sunset date of the Baby Bonding Leave provision in Article 9 through June 30, 2021.

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**SUSTAINABLE OPPORTUNITIES**

**Economic:** There are no economic opportunities associated with this report.

**Environmental:** There are no environmental opportunities associated with this report

**Social Equity:** There are no social equity opportunities associated with this report.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff recommends that the City Council:

- 1) Adopt a Resolution Approving the Contract Extension to the Memorandum of Understanding between the City of Oakland and the Confidential Management Employees Association Representing Employees in Representation Unit U31 Covering the Period of July 1, 2019 to June 30, 2021; And
- 2) Amend the Salary Schedule of Ordinance 12187 C.M.S. (The Salary Ordinance) to Provide Wage Increases to Represented Employees in Representation Unit U31 Pursuant to the Memorandum of Understanding Between the City of Oakland and the Confidential Management Employees Association as Follows: Increase of 2% Effective the First Full Pay Period of July 2019 and an Increase of 2% Effective the First Full Pay Period of July 2020.

For questions regarding this report, please contact Ian Appleyard, Human Resources Management Director, at (510) 238-6450.

Respectfully submitted,



Ian Appleyard  
Director, Human Resources Management

Reviewed by: City Bargaining Team

Prepared by:  
Allyson E. Cook, Assistant Director  
HRM/Employee Relations

Attachments:

1. Tentative Agreement Between the City and CMEA

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City of Oakland and Confidential Management Employees Association (CMEA)

Tentative Agreement and Contract Extension

2019 SUCCESSOR NEGOTIATIONS

1. Term of Agreement - July 1, 2019 to June 30, 2021
2. Salary Increase

Wage Increase

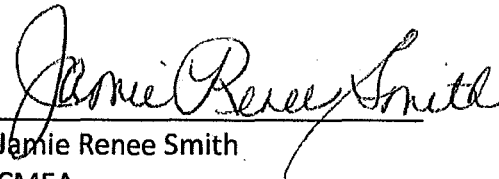
Effective the first full pay period in July 2019: 2.0%

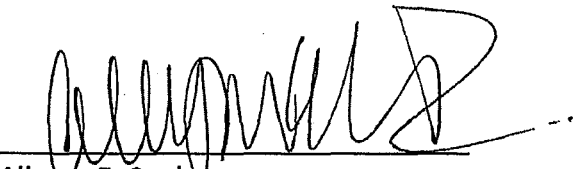
Effective the first full pay period in July 2020: 2.0%

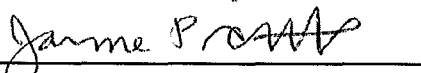
3. Article 13.7 Parity: If the City reaches an agreement with another recognized miscellaneous employee organization, or imposes on another recognized miscellaneous employee organization, a wage increase which is greater than that provided herein, taking into account compounding and timing differences, City employees covered by this Memorandum of Understanding shall receive that same wage increase effective with the first pay period after the ratification of that other agreement or the date of that imposition. This section shall sunset on June 30, 2021.

The terms of this Tentative Agreement are subject to CMEA and City Council ratification and approval.

SO AGREED.

  
\_\_\_\_\_  
Jamie Renee Smith  
CMEA

  
\_\_\_\_\_  
Allysen E. Cook  
City of Oakland

  
\_\_\_\_\_  
Jalme Pritchett  
CMEA

2019 SUCCESSOR NEGOTIATIONS

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

Approved as to Form and Legality

# OAKLAND CITY COUNCIL

  
City Attorney

2019 FEB 21 PM 3:07

RESOLUTION No. \_\_\_\_\_ C.M.S.

**RESOLUTION APPROVING THE CONTRACT EXTENSION TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF OAKLAND AND THE CONFIDENTIAL MANAGEMENT EMPLOYEES ASSOCIATION, REPRESENTING EMPLOYEES IN REPRESENTATION UNITS U31, COVERING THE PERIOD FROM OF JULY 1, 2019 THROUGH JUNE 30, 2021**

**WHEREAS**, the contract extension to the Memorandum of Understanding between the City of Oakland and the Confidential Management Employees Association 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 February 20, 2019; 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, 2021.

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

**PASSED BY THE FOLLOWING VOTE:**

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, THAO, TAYLOR, AND COUNCIL PRESIDENT KAPLAN

NOES -

ABSENT -

ABSTENTION -

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

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