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AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Ian Appleyard
Human Resources
Management Director

SUBJECT: MOU Between the City of Oakland
and SEIU, Local 1021

DATE: March 22, 2018

City Administrator Approval

Date:

3/20/18

RECOMMENDATION

Staff Recommends That City Council:

Accept an informational report updating the status of labor contract negotiations and implementation between the City of Oakland and the Service Employees International Union, Local 1021.

REPORT

The City Council has scheduled a Special Meeting for March 22, 2018 to expedite the ratification of the Memorandum of Understanding (MOU) between the City of Oakland and the Service Employees International Union (SEIU), Local 1021. The reason for providing an informational report, as opposed to a resolution and salary ordinance, is the City negotiators received SEIU's approval of the redlined MOU after hours on March 19, 2018. This approval, which has been pending since March 8, 2018, allows the City negotiators to initiate the legislative approval process. The legislation, which includes both a resolution and salary ordinance, requires careful review of the City Administrators Office, the City Clerk's Office and the City Attorney's Office. We share the Council's and Union's desire to adopt the contract, which is why this matter was scheduled for the earliest City Council meeting, April 17, 2018, due to Council's Spring recess.

The City worked persistently and in partnership with SEIU, Local 1021 during the union ratification and MOU review process. The following briefly summarizes the timeline of events:

- February 15, 2018: SEIU, Local 1021 and the City signed a tentative agreement on the City's final package proposal passed during mediation;
- February 26, 2018: SEIU, Local 1021's Chief Negotiator advised the City that its members ratified the tentative agreements;
- February 27, 2018: To move the process forward, the City agreed to draft the "redlined" version of the MOU that incorporates 80+ tentative agreements and two Side Letters for SEIU's review;

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- March 8, 2018: The City provided a draft “redlined” version of the that MOU incorporated the 80+ tentative agreements and Side Letters;
- March 12, 2018: The City provides release time to SEIU’s entire bargaining team to review the redlined version of the MOU and Side Letters;
- March 19, 2018 at 3:50 p.m.: The Clerk formally notifies City Administration that a Special Meeting has been scheduled for March 22, 2018 at 12:00 p.m. Thus, the deadline for delivery of the resolution and salary ordinance is the following day, March 20, 2018 at 10:00 a.m. However, SEIU had not yet approved the redlined version of the MOU.
- March 19, 2018 at 6:55 p.m.: SEIU, Local 1021 advised that it approved the redlined version of the MOU.

As detailed above, the Special Meeting was noticed at the end of the day on March 19, 2018, prior to SEIU formally approving the redlined version of the MOU. Indeed, SEIU’s sign off on the redlined document is the initial step in the necessary review process. Once SEIU approves the MOU, the document must then undergo a comprehensive, stringent review by the City Attorney and City Administrator to ensure there are no unintended errors, expansion or diminishing of rights or inclusion of illegal terms. As a reminder, there have been incidents with other regional governments where drafting and version-control errors have resulted in costly re-opening of labor contracts. It is critical to accurately review the MOU, resolution, report and salary ordinance.

FISCAL IMPACT

There is no fiscal impact associated with this report.

PUBLIC OUTREACH / INTEREST

No public outreach is required.

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:

Receive this informational report.

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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