

CITY OF OAKLAND

AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2011 JUL 21 PM 5:57

TO: Office of the City Administrator
ATTN: Lamont Ewell
FROM: Department of Human Resources Management
DATE: July 26, 2011

RE: **Resolution Approving the Memorandum of Understanding between the City of Oakland and the Service Employees International Union, Local 1021 Part-Time Unit, Representing Employees in Representation Units SII, Covering the Period from July 1, 2011 to June 30, 2013**

SUMMARY

The City of Oakland has reached a tentative successor agreement on wages and other terms and conditions of employment with the Service Employees International Union (SEIU), Local 1021 Part-Time Unit. To ensure consistency, language changes that were agreed to in the full time contract are represented in this agreement. Cost savings are being addressed administratively because the City maintains sole discretion for assigning hours worked for part-time employees.

FISCAL IMPACT

In fiscal year 2009-10, the total cost of this representation unit, including wages and benefits was \$11,046,801. This figure includes the fringe benefits rate of 10.77%. Representation Unit SII consists of direct service employees whose work is that of a seasonal or part-time nature. Since the City has sole authority for assigning part-time employees hours, the City may administratively reduce hours of part-time employees to actualize costs savings. Part-time employees do not receive Public Employees Retirement System (PERS) benefits.

BACKGROUND

The current Memorandum of Understanding (MOU) between the City of Oakland and the Service Employees International Union (SEIU), Local 1021 Part-Time Unit expired June 30, 2011. This labor agreement covers approximately 1,200 part-time employees. During the SEIU negotiations for the Full Time MOU, the parties agreed that terms negotiated in the full-time contract would also be reflected in the part-time contract, where appropriate. The changes that apply to the Part-Time MOU include term, definition of family and grievance procedures. On July 13, 2011, Local 1021 part-time employees ratified the tentative agreement, voting in favor of adoption.

KEY ISSUES AND IMPACTS

The changes to the part-time MOU include those changes that the parties reached tentative agreement through the combined Full-Time and Part-Time MOU negotiations, where applicable. There are no scheduled wage increases during the term of the contract. The changes are to the term of the MOU, the definition of family for Family Death Leave and the Grievance procedure.

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Term

Preamble and Article VII – Resolution – Duration

The MOU has been tentatively approved for a two year term, expiring June 30, 2013.

Article IV – Working Conditions (page 11)

Part-time employees may, with approval of the supervisor, reschedule work to permit a unit member to attend a funeral of a deceased family member. Consistent with the tentative agreement in the Full-Time MOU, the definition of family is expanded to include step parent, brother-in-law, sister-in-law, nieces or nephews.

Article VI – Grievance Procedure (page 13)

The number of days for the Union or unit members to file and advance has been increased to remain consistent with the tentative agreement for the Full-Time MOU. The parties also agreed the Department Head must respond at Step 2 as of January 1, 2012. If no response is received within the required time period at Step two, the grievance is automatically moved to Step 3. This implementation date gives the Employee Relations Unit time to train and provide resources to Department Heads to affectively manage the grievance process for which they are responsible.

SUSTAINABLE OPPORTUNITIES

No sustainable opportunities have been identified.

DISABILITY AND SENIOR CITIZEN ACCESS

The agreement contains a “non-discrimination” provision, which states that the City will make reasonable accommodations to the extent the law permits at the time the accommodation is implemented. There are no changes to this provision. There are no senior citizen access issues contained in this report.

RECOMMENDATION AND RATIONALE

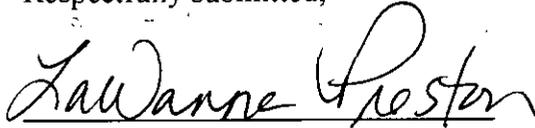
Staff recommends that Council approve the tentative agreement negotiated with the Service Employees International Union (SEIU), Local 1021. Represented employees from Local 1021 Part-Time Unit have ratified this agreement through a vote of the union’s membership. The tentative agreement meets the interests of both parties and represents a fair and reasonable settlement.

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ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

Respectfully submitted,

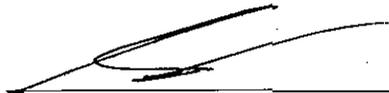


LaWanna Preston
Human Resources Manager
Department of Human Resources Management

Prepared by:

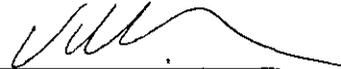
Ian Appleyard, Principal Human Resource Analyst
Department of Human Resources Management

**APPROVED AND FORWARDED TO THE
CITY COUNCIL:**



Office of the City Administrator

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City Attorney

OAKLAND CITY COUNCIL

FILED
OFFICE OF THE CITY CLERK
OAKLAND

RESOLUTION No. _____ C.M.S.

2011 JUL 21 PM 5:57

Introduced by Councilmember _____

RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF OAKLAND AND THE SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 1021 PART-TIME UNIT, REPRESENTING EMPLOYEES IN REPRESENTATION UNITS S11 COVERING THE PERIOD FROM JULY 1, 2011 THROUGH JUNE 30, 2013.

WHEREAS, the Memorandum of Understanding to be entered into between the City of Oakland and the Service Employees International Union, Local 1021 Part-Time Unit 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 26, 2011; 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 July 1, 2011 through June 30, 2013.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES -

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California