



FILED
OFFICE OF THE CITY CLERK
OAKLAND
2015 SEP 17 PM 1:01

AGENDA REPORT

TO: Sabrina B. Landreth
CITY ADMINISTRATOR

FROM: Renée Mayne

SUBJECT: MOU Approval between the City of
Oakland and IBEW and Salary Ordinance
Amendment

DATE: August 31, 2015

City Administrator
Approval

Date

9/11/15

COUNCIL DISTRICT: City-Wide

RECOMMENDATION

Staff recommends that the City Council:

Adopt a Resolution Approving the Memorandum of Understanding between the City of Oakland and the International Brotherhood of Electrical Workers, Local 1245 Representing Employees in Representation Units IE1 and TV1 Covering the Period from July 1, 2015 to June 30, 2017; And Amending Salary Schedule of Ordinance 12187 C.M.S. (The Salary Ordinance) to Increase Salaries by Amounts Pursuant to the Memorandum of Understanding.

OUTCOME

The City of Oakland has reached a tentative agreement on wages and other terms and conditions of employment with the International Brotherhood of Electrical Workers (IBEW), Local 1245 for the term of July 1, 2015 through June 30, 2017. The Salary Ordinance will be amended to reflect the proposed four percent (4%) Cost of Living Adjustment (COLA) salary increases of the City's employees in IBEW retroactive to July 1, 2015; one percent (1%) COLA increases effective October 1, 2016; and three percent (3%) COLA increases effective April 1, 2017. Additionally, IBEW members will be able to receive a one-time revenue sharing payment of up to one percent (1%) of the base salary as of July 1, 2015.

BACKGROUND/LEGISLATIVE HISTORY

The current Memorandum of Understanding (MOU) between the City of Oakland and the International Brotherhood of Electrical Workers expired on June 30, 2015. Since February 2015,

Item: _____
Special City Council
September 22, 2015

the City and Local 1245 negotiation teams have met regularly and have signed comprehensive Tentative Agreements on seven (7) MOU Articles.

ANALYSIS

Approval of the proposed resolution is necessary to adopt the MOU between the City and Local 1245. The Union's ratification date was Thursday, August 27, 2015. The report, ordinance, and resolution are being prepared for Council approval and authorization following IBEW ratification. Salary Ordinance amendment requires two (2) readings with the first reading on September 22, 2015, for consideration and approval, and second reading on October 6, 2015. If for any reason the MOU is not finalized or approved, the Salary Ordinance amendment could be canceled or delayed if required. The following list includes a summary of the key provision of the tentative agreements:

Article 3: Union Rights

The City and the Union agree that the city-paid release time is important for the Union to carry out its statutory representation obligations and to effectively meet and confer with the City of Oakland. The Union will give the City as much advance notification as possible, and shall make a good faith effort to give a minimum of seventy-two (72) hours advance notice.

Article 5: Compensation

The City agrees to provide IBEW, Local 1245 members with the following COLA increases:

- July 1, 2015 – 4.0 percent salary increase
- October 1, 2016 – 1.0 percent salary increase
- April 1, 2017 – 3.0 percent salary increase

Additionally, there could be a one-time Revenue Sharing Payment of up to one percent (1%) of a member's gross salary as of July 1, 2015. The payment shall be payable to the member in February 2016 or February 2017, dependent upon available funds. The Revenue Sharing Payment will be identified as part of the FY 2014-2015 Fourth Quarter Revenue and Expenditure Report and made payable after the completion of the Comprehensive Annual Financial Report (CAFR).

Unit members may elect to receive overtime compensation in the form of compensatory leave. Limits on compensatory leave accrual shall be seventy-two (72) hours for all unit members. Any compensatory leave accrued in excess of the above stated amount shall be automatically paid to the unit member.

The acting pay premium increased from six percent (6.0%) to seven and one half percent (7.5%). If the acting pay assignment extends beyond a consecutive sixty (60) calendar day period, the represented employee shall be paid a premium at the rate of twelve and one half percent (12.5%)

Item: _____
Special City Council
September 22, 2015

of the regular pay of the employee's own classification, beginning on the sixty-first (61st) day of the acting assignment. This provision is in line with Locals 1021 and 21 MOU.

Unit members with a valid class B commercial driver's license assign to and operating a vehicle that requires a class B shall be paid an additional \$0.96 per hour.

The City added the classification of Electrician Helper to the annual tool allowance of \$200.00 to unit members. The allowance shall be paid out to unit members currently serving in these classes annually in the month of January. New employees shall be paid within 30 days of their first day of work and annually thereafter.

The City will provide annual clothing reimbursement of \$175.00 to unit members.

Article 6: Indirect Pay and Allowances

This entire article was revised to comply with the Public Employee Pension Reform Act ("PEPRA") to list the third tier retirement plan.

The City will now automatically enroll new employees to the Kaiser (medical plan) if they do not enroll themselves. The new employee will have an opportunity to change plans if requested within a timeframe.

The City agreed to increase the amount for "cash-in-lieu" of medical benefits from \$160.00 a month to \$300.00 per month.

Article 7: Leaves of Absence

Unit members who transfer to a classification and/or bargaining unit that does not have the same leave bank will be required to cash out leave at the time of transfer.

With the exception of unit members on attendance management program, medical verification may be requested only if a unit member's absence is in excess of three (3) workdays.

Sick leave may be used in minimum increments of one (1) hour. With the exception of unit members on attendance management program, medical verification may be requested only if a unit member's absence is in excess of three (3) work days.

The definition for family illness was updated to match the definition in other Union contracts.

The City proposed and IBEW agreed to update the family death leave entitlement within the MOU to match the Oakland Civil Service Rules. The current MOU contract provides five (5) days, while the Civil Service Rules provides up to eight (8) days, if the employee must travel a distance one way of more than 600 miles.

Item: _____
Special City Council
September 22, 2015

Article 11: Personnel Provisions

The City and the Union agreed on a new policy related to Child Safety and Endangerment and zero tolerance for child endangerment. Employees who work or interact with minors or children as part of the job duties, any instance of observed, reported, or reasonably suspected mistreatment or maltreatment of a child or minor will result in the employee being placed on paid administrative leave and subject to an investigation.

The City will provide the Union with a listing of classifications that may potentially be reduced as soon as such information may feasibly be provided, but no later than the date on which a proposed budget or budget amendments are made available to the public.

PUBLIC OUTREACH

No public outreach was required.

COST SUMMARY/IMPLICATIONS

The estimated cost will be \$36,165.00 over the term of the contract (\$16,295.00 in FY 2015-2016 and \$19,870.00 in FY 2016-2017) per the attached schedule. Costs associated with the package including the salary increases proposed in the attached Salary Ordinance amendment are supported by appropriations in the FY 2015-2017 Biennial Policy Budget adopted by the City Council on June 30, 2015. Funds for the one-time Revenue Share Payment will be identified as part of the FY 2014-2015 Fourth Quarter Revenue & Expenditure Report and made payable after the completion of the Comprehensive Annual Financial Report.

Item: _____
Special City Council
September 22, 2015

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.

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

Respectfully submitted,



FOR _____
Renée Mayne
Employee Relations Director

Reviewed by:
City of Oakland Bargaining Team

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

Attachments

1. DRAFT Resolution
2. DRAFT Ordinance
3. Estimated Cost of Living Adjustment Increases

Item: _____
Special City Council
September 22, 2015

SALARY SCHEDULED
IBEW LOCAL 1245

ATTACHMENT 3

REP	CLASS_NUM	TITLE	STEP	7/1/2015 (4%)	10/1/2016 (1%)	4/1/2017 (3%)
IE1	TR128	Electrician	1	36.97	37.34	38.46
IE1	TR128	Electrician	2	37.80	38.18	39.32
IE1	TR128	Electrician	3	38.80	39.18	40.36
IE1	TR128	Electrician	4	39.76	40.16	41.36
IE1	TR128	Electrician	5	40.80	41.21	42.44
IE1	TR129	Electrician Helper	1	21.55	21.76	22.41
IE1	TR129	Electrician Helper	2	22.67	22.90	23.58
IE1	TR129	Electrician Helper	3	23.86	24.10	24.82
IE1	TR129	Electrician Helper	4	25.11	25.36	26.13
IE1	TR129	Electrician Helper	5	26.43	26.70	27.50
IE1	TR130	Electrician Leader	1	42.91	43.34	44.64
IE1	TR130	Electrician Leader	2	43.95	44.39	45.72
IE1	TR130	Electrician Leader	3	44.99	45.44	46.80
IE1	TR130	Electrician Leader	4	46.12	46.59	47.98
IE1	TR130	Electrician Leader	5	47.25	47.72	49.15
IE1	TR182	Telecommunications Electrician	1	36.97	37.34	38.46
IE1	TR182	Telecommunications Electrician	2	37.80	38.18	39.32
IE1	TR182	Telecommunications Electrician	3	38.80	39.18	40.36
IE1	TR182	Telecommunications Electrician	4	39.76	40.16	41.36
IE1	TR182	Telecommunications Electrician	5	40.80	41.21	42.44
IE1	TR183	Telecommunications Electrician, Sr	1	42.91	43.34	44.64
IE1	TR183	Telecommunications Electrician, Sr	2	43.95	44.39	45.72
IE1	TR183	Telecommunications Electrician, Sr	3	44.99	45.44	46.80
IE1	TR183	Telecommunications Electrician, Sr	4	46.12	46.59	47.98
IE1	TR183	Telecommunications Electrician, Sr	5	47.25	47.72	49.15
IE1	TC140	Telecommunications Technician	1	29.95	30.25	31.15
IE1	TC140	Telecommunications Technician	2	31.51	31.83	32.78
IE1	TC140	Telecommunications Technician	3	33.17	33.50	34.51
IE1	TC140	Telecommunications Technician	4	34.92	35.27	36.32
IE1	TC140	Telecommunications Technician	5	36.75	37.12	38.23
IE1	TC142	Telecommunications Technician, PT	1	29.95	30.25	31.15
IE1	TC142	Telecommunications Technician, PT	2	31.51	31.83	32.78
IE1	TC142	Telecommunications Technician, PT	3	33.17	33.50	34.51
IE1	TC142	Telecommunications Technician, PT	4	34.92	35.27	36.32
IE1	TC142	Telecommunications Technician, PT	5	36.75	37.12	38.23
IE1	AP340	Telephone Services Specialist	1	41.25	41.66	42.91
IE1	AP340	Telephone Services Specialist	2	42.22	42.65	43.93
IE1	AP340	Telephone Services Specialist	3	43.24	43.67	44.98
IE1	AP340	Telephone Services Specialist	4	44.33	44.78	46.12
IE1	AP340	Telephone Services Specialist	5	45.41	45.86	47.24
TV1	TR131	Electrician, PT	1	36.43	36.79	37.90
TV1	TR131	Electrician, PT	2	37.24	37.61	38.74
TV1	TR131	Electrician, PT	3	38.23	38.61	39.77
TV1	TR131	Electrician, PT	4	39.19	39.58	40.77
TV1	TR131	Electrician, PT	5	40.20	40.60	41.82


City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF OAKLAND AND THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL 1245, REPRESENTING EMPLOYEES IN REPRESENTATION UNITS IE1 AND TV1, COVERING THE PERIOD FROM OF JULY 1, 2015 THROUGH JUNE 30, 2017

WHEREAS, the Memorandum of Understanding to be entered into between the City of Oakland and the International Brotherhood of Electrical Workers 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 August 31, 2015; 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, 2015.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID and PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

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

DATE OF ATTESTATION: _____

FILED
 OFFICE OF THE CITY CLERK
 INTRODUCED BY COUNCIL MEMBER
 OAKLAND


 CITY ATTORNEY

2015 SEP 17 PM 7:01

OAKLAND CITY COUNCIL

ORDINANCE No. _____ C.M.S.

ORDINANCE AMENDING THE SALARY SCHEDULE OF ORDINANCE NO. 12187 C.M.S. ("SALARY ORDINANCE") TO PROVIDE COST OF LIVING ADJUSTMENTS TO THE SALARIES OF CERTAIN MISCELLANEOUS EMPLOYEES PURSUANT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF OAKLAND AND THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL 1245; THE COST OF LIVING ADJUSTMENTS SHALL BE AS FOLLOWS: INCREASE OF 4% EFFECTIVE JULY 1, 2015; INCREASE OF 1% EFFECTIVE OCTOBER 1, 2016; AND INCREASE OF 3% EFFECTIVE APRIL 1, 2017

WHEREAS, the Memorandum of Understanding between the City of Oakland and the International Brotherhood of Electrical Workers, Local 1245 has been approved by the parties pursuant to Section 3505.1 of the Government Code of the State of California; and

WHEREAS, said agreements are approved and included increases to salaries of 4% for July 1, 2015, 1% for October 1, 2016 and 3% for April 1, 2017 for employees represented by International Brotherhood of Electrical Workers, Local 1245; and

WHEREAS, Oakland City Charter Section 207 requires that the Council shall fix the compensation of all City employees; now, therefore

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

Section 1. Effective July 1, 2015, the classifications and associated salaries listed in the current Memorandum of Understanding between the City of Oakland and the International Brotherhood of Electrical Workers, Local 1245 are increased by 4%.

Section 2. Effective October 1, 2016, the classifications and associated salaries listed in the current Memorandum of Understanding between the City of Oakland and the International Brotherhood of Electrical Workers, Local 1245 are increased by 1%.

Section 3. Effective April 1, 2017, the classifications and associated salaries listed in the current Memorandum of Understanding between the City of Oakland and the International Brotherhood of Electrical Workers, Local 1245 are increased by 3%.

Section 4. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Chapter. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, clause or phrase thereof irrespective of the fact that one or more others section, subsection, clauses or phrases may be declared invalid or unconstitutional.

Section 3. Effective Date. This ordinance shall become effective immediately on final adoption if it receives six or more affirmative votes; otherwise it shall become effective upon the seventh day after final adoption.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2015

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID and PRESIDENT GIBSON
MCELHANEY

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

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

DATE OF ATTESTATION: _____