Legislation Details (With Text)

File #:	20-201	**Version:** 1	**Name:**		
Type:	Consent		**Status:**	Agenda Ready	
File created:	4/24/2020		**In control:**	CITY COUNCIL	
On agenda:	5/19/2020		**Final action:**		
Title:	Adopt a resolution approving a budget appropriation in the amount of $954,826 approving Side Letter Agreements, related to salary “me too” clauses, to the master Memorandum of Understanding for the Mid Managers Association, Confidential Mid Managers Association, Public Safety Management Association, Manteca Firefighters IAFF Local 1874, Manteca Police Officers Association, Manteca Police Employees Association, and the Executive Management Summary of Salary and Benefits.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	1. Attachment 1 - Resolution, 2. Attachment 2 - Confidential Mid Managers Association MOU, 3. Attachment 3 - Public Safety Management Association MOU, 4. Attachment 4 - Mid Manager Association MOU, 5. Attachment 5 - Manteca Professional Firefighters MOU, 6. Attachment 6 - Manteca Police Officers' Association MOU, 7. Attachment 7 - Manteca Police Employees' Association, 8. Attachment 8 - Executive Summary of Salary and Benefits				

Date	Ver.	Action By	Action	Result

City Council Agenda

Memo to: Manteca City Council

From: Dawn Lichti, Acting Administrative Services Director

Date: May 19, 2020

Subject: Side Letter Agreements

Adopt a resolution approving a budget appropriation in the amount of $954,826 approving Side Letter Agreements, related to salary “me too” clauses, to the master Memorandum of Understanding for the Mid Managers Association, Confidential Mid Managers Association, Public Safety Management Association, Manteca Firefighters IAFF Local 1874, Manteca Police Officers Association, Manteca Police Employees Association, and the Executive Management Summary of Salary and Benefits.

Background:
The City’s 2019 labor negotiating was comprised of the City’s former Finance Director and contract attorney Philip Wright of Kronick, Moskovitz, Tiedemann & Girard. Through the process, the City’s negotiators were given authority of up to 6% PERSable benefit for each unit.

The Operating Engineers Local Union No. 3 (OE3) was the last contract to be approved. OE3 ratified

their contract in November 2019 and it was approved by City Council on December 3, 2019, with a term of July 1, 2019, through June 30, 2021. All other bargaining units ratified and had their contracts approved before December.

During the negotiations process OE3 wanted a 1.5% COLA, but based on their other proposals, they only had 0.5% of the PERSable benefit authority left to bargain with. The City's negotiating team reached an agreement that if OE3 members who were in the CalPERS "Classic" category paid an extra 1% in member contribution, then the City would provide an additional 1% increase to the base pay of all their members (for a total of 1.5%), including the PEPRA members who were not required to pay an extra 1% towards their CalPERS member contribution. Although the contracted attorney believed this was a "wash," it actually resulted in some OE3 members receiving a 7% PERSable benefit.

All bargaining units had negotiated "me too" clauses in the salary section of their MOU's, stating that if another bargaining unit agreed to a PERSable benefit increase than the percentages listed, members would receive a commensurate increase at the same time as agreed by the other bargaining unit. Although the same clause was agreed upon in the negotiations process by all units, there were errors in the "me too" language that ended up in the final drafts of each contract. In addition, one contract erroneously left out the me-too language altogether.

The additional increase to the Operating Engineers Local Union No. 3 triggered the clauses, therefore, obligating the City to provide the other units with a 1% increase, retroactively back to July 1, 2019. Therefore, Staff is requesting that Council approve the attached Side Letters with the respective bargaining units. There is one unit, Technical Support Services (TSS) who refused to sign the Side Letter at this time.

Additionally, Staff is requesting a revision to the Public Safety Management Association MOU to better align the educational incentive clause with their counterparts in the Manteca Police Officers Association and Manteca Firefighters IAFF Local 1874. The MOU did not offer Certificate or Educational Pay for Battalion Chiefs or the Fire Marshal for securing a Master's Degree or securing certificates as an CFSTES Company Officer, Fire Investigator, CSTI Hazardous Materials Specialist, Strike Team Leader or Fire Prevention Officer. The Side letter offers compensation equivalent to what is existing to the Local 1874.

Fiscal Impact:
The 1% increase for Mid Managers Association, Confidential Mid Managers Association, Public Safety Management Association, Manteca Firefighters IAFF Local 1874, Manteca Police Officers Association, Manteca Police Employees Association, Technical Support Services and Executive Management retroactive to July 1, 2019, and continuing through FYE June 30, 2020, reflects an impact to the General Fund of $342,038. The remaining $612,788 will be split between, Sewer, Solid Waste, Water, Community Development and Measure M Funds.

Documents Attached:
1. Attachment - Resolution

2. Attachment 2 - Confidential Mid Managers Association MOU
3. Attachment 3 - Public Safety Management Association MOU
4. Attachment 4 - Mid Management Association MOU
5. Attachment 5 - Manteca Professional Firefighters MOU
6. Attachment 6 - Manteca Police Officers' Association MOU
7. Attachment 7 - Manteca Police Employees' Association MOU
8. Attachment 8 - Executive Summary of Salary and Benefits