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Title: Actions pertaining to the Amalgamated Transit Union, Local 1027 (ATU) for Unit 6 - Bus Drivers and Student Drivers

1. ***Adopt a successor Memorandum of Understanding between the City of Fresno and the Amalgamated Transit Union, Local 1027 (ATU) for Unit 6 - Bus Drivers and Student Drivers (Subject to Mayor's Veto)
2. ***RESOLUTION - 6th Amendment to FY 2019 Salary Resolution No. 2018-159, amending Exhibit 6, Unit 6, Bus Drivers and Student Drivers (ATU) as required by the Memorandum of Understanding between the City of Fresno and the Amalgamated Transit Union, Local 1027 (ATU) for Unit 6 - Bus Drivers and Student Drivers (Subject to Mayor's Veto)

Sponsors: Personnel Services Department

Indexes:

Code sections:

Attachments: 1. ATU MOU Final.pdf, 2. ATU MOU Redline.pdf, 3. Costing - ATU MOU.pdf, 4. Resolution - 6th Amend to FY19 Salary Resolution.pdf, 5. Salary Tables - 6th Amend to FY19 Salary Resolution_REDLINE.pdf, 6. Salary Tables - 6th Amend to FY19 Salary Resolution_FINAL.pdf

Date	Ver.	Action By	Action	Result
11/8/2018	1	City Council	approved	Pass

REPORT TO THE CITY COUNCIL

October 25, 2018

FROM: JEFF CARDELL, Director
Personnel Services Department

BY: KEN PHILLIPS, Labor Relations Manager
Personnel Services Department

SUBJECT

Actions pertaining to the Amalgamated Transit Union, Local 1027 (ATU) for Unit 6 - Bus Drivers and Student Drivers

1. ***Adopt a successor Memorandum of Understanding between the City of Fresno and the Amalgamated Transit Union, Local 1027 (ATU) for Unit 6 - Bus Drivers and Student Drivers (**Subject to Mayor's Veto**)
2. ***RESOLUTION - 6th Amendment to FY 2019 Salary Resolution No. 2018-159, amending Exhibit 6, Unit 6, Bus Drivers and Student Drivers (ATU) as required by the Memorandum of Understanding between the City of Fresno and the Amalgamated Transit Union, Local 1027

(ATU) for Unit 6 - Bus Drivers and Student Drivers **(Subject to Mayor's Veto)**

RECOMMENDATIONS

It is recommended Council: (1) approve the attached Memorandum of Understanding (MOU) to implement wages, hours and other terms and conditions of employment for City employees in Unit 6, Bus Drivers and Student Drivers, represented by ATU; and (2) adopt the Sixth Amendment to the Fiscal Year 2019 Salary Resolution No. 2018-159, amending salaries in Exhibit 6, Unit 6, Bus Drivers and Student Drivers (ATU).

EXECUTIVE SUMMARY

The City and ATU reached a tentative agreement on a successor MOU which will replace the MOU that expired on June 30, 2017. The MOU provides for an agreement from October 29, 2018 through October 25, 2020, increases to wages, and other changes in terms or conditions of employment. To implement the MOU it is necessary to approve the Sixth Amendment to FY 2019 Salary Resolution No. 2018-159, amending salaries Exhibit 6, Unit 6, Bus Drivers and Student Drivers (ATU). The MOU and Salary Resolution Amendment are effective October 29, 2018.

BACKGROUND

The City and ATU started meeting in December 2017 towards reaching agreement on a successor MOU. The parties reached a tentative agreement on September 18, 2018. Members of the Unit voted to ratify the tentative agreement on October 7, 2018.

Major changes to the MOU are summarized below:

- **Representation:** Adding Student Drivers as members of the Unit, consistent with Side Letter Agreement, effective April 6, 2015 through December 31, 2017.
- **Term:** October 29, 2018 through October 25, 2020
- **Wages:**
 - \$225 lump sum payment per employee on November 16, 2018.
 - 2.5% general wage increase, effective October 29, 2018.
 - 2.5% general wage increase, effective October 28, 2019.
- **Pension Changes:**
 - Employees who enter the Unit and are paying 1.5% towards pension costs continue to pay an additional 1.5%.
 - Reopener on making the additional 1.5% part of the employee's normal contribution.
- **Attendance Policy:** Change Attendance Policy from an Administrative Order to an Addendum to the MOU. Amend language to improve process for retaining incidents and align with policies for other bargaining units.
- **Leaves:**
 - Employee Incentive Time Off (EITO): Add provision to earn EITO under similar terms as other units with the provision. Employees earn leave time if they meet attendance

criteria. Time accumulation limited to eighty hours.

- Sick Leave: Amend language to conform with changes to state law.
- Holiday Leave: Creation of new Special Holiday Leave bank; all existing Holiday Leave will be placed in special bank which can be used or cashed out subject to certain conditions. Cap on leave accrual of 48 hours; leave earned above cap will be cashed out.
- **By-Laws:** ATU to provide the City with its By-Laws and to provide the City with updates as they occur.
- **Benefits for Part Time Employees:** Part time employees will receive health and welfare and other proportional benefits on the same basis as full time employees. The health and welfare benefits are in line with provisions for other units and as authorized by the Affordable Care Act.
- **Bilingual:** Examinations will be conducted throughout the year. Eligible languages will be listed in the MOU and the Salary Resolution. Recertification required every five years to maintain premium pay.
- **Federal Drug Policy:** Changes to conform with law and City policies.
- **Reopener:** Provides for a reopener on FMC provisions on Personnel, Civil Service, and the Employer-Employee Relations Ordinance.

In addition to the above, there was language clean up throughout the MOU, much of which resulted from a review of MOU by the City Attorney's Office.

The City Attorney's Office has approved the successor MOU and Salary Resolution Amendment as to form.

ENVIRONMENTAL FINDINGS

By the definition provided in the California Environmental Quality Act Guidelines Section 15378 this item does not qualify as a "project" and is therefore exempt from the California Environmental Quality Act requirements.

LOCAL PREFERENCE

Local preference is not implicated because this item does not involve public contracting or bidding with the City of Fresno.

FISCAL IMPACT

Approval of the MOU and Salary Resolution Amendment will result in an additional salary and benefit expenses of approximately \$437,626 to FAX enterprise funds in Fiscal Year 2019, and approximately \$965,781 to FAX enterprise funds in Fiscal Year 2020. There is no additional cost to the General Fund.

Attachments:

ATU MOU - Redline

ATU MOU - Final

Costing for ATU MOU

Resolution: Sixth Amendment to FY 2019 Salary Resolution No. 2018-159

Salary Tables: Sixth Amendment to FY 2019 Salary Resolution No. 2018-159 - Redline

Salary Tables: Sixth Amendment to FY 2019 Salary Resolution No. 2018-159 - Final