

AGENDA ITEM NO.

COUNCIL MEETING 6/19/07

APPROVED BY


DEPARTMENT DIRECTOR

CITY MANAGER

June 19, 2007

FROM: TERRY BOND, Director
Personnel Services Department

BY: KENNETH G. PHILLIPS, Labor Relations Manager
Labor Relations Division

SUBJECT: APPROVE SIDE LETTER OF AGREEMENT WITH AMALGAMATED TRANSIT UNION, LOCAL 1027 (ATU), UNIT 06, REGARDING ADDITIONAL HOLIDAY SERVICES

KEY RESULT AREA

Employee Satisfaction, Customer Satisfaction

RECOMMENDATIONS

It is recommended that Council approve the attached Side Letter of Agreement between the City and ATU (Unit 06) that provides bidding and compensation provisions for bus operators providing service on four holidays - the Fourth of July, Thanksgiving Day, Christmas Day and New Year's Day.

EXECUTIVE SUMMARY

This action would amend the Memorandum of Understanding between the City and ATU (Unit 06) to provide special bidding and compensation provisions for bus operators who provide bus service on the above-mentioned holidays during a transitional period of July 4, 2007 through January 2, 2009.

KEY OBJECTIVE BALANCE

The recommended action achieves Employee Satisfaction through a financial incentive for employees who have been assigned to work on these particular holidays. It achieves Customer Satisfaction by providing bus service to those individuals who depend on public transportation.

BACKGROUND

For approximately twenty (20) years the City of Fresno has not provided bus service on the Fourth of July, Thanksgiving Day, Christmas Day and New Year's Day. Because the City of Fresno has grown to almost 500,000 citizens with ridership on the buses increasing significantly, and with the passage of Measure C, the Department of Transportation/FAX has reviewed services to provide public transportation to those who depend on such transportation. With the addition of services on these four (4) holidays, the City of Fresno will now provide public transportation every day of the year.

As the City has not provided service for some time on these particular holidays, the majority of bus operators at FAX understood that they would not be required to work on these four (4) holidays. As of August 1, 2006 the Department informed newly hired bus operators, that they may be required to work these four (4) holidays.

ATU and the City met and conferred in regards to these changes in the bus drivers working conditions and both parties agree, upon approval by the Council, to compensate the bus drivers hired prior to August 1, 2006 for the service to be provided on July 4, 2007, Thanksgiving 2007, Christmas 2007 and New Year's Day 2008.

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FISCAL IMPACT

There is a fiscal impact to the Department's budget for Fiscal Year 2008 associated with this agreement. The additional cost for this Side Letter of Agreement would be approximately \$23,000.00.

June 13, 2007

Attachment: Side Letter Agreement between the City of Fresno and ATU

AGREEMENT BETWEEN THE
CITY OF FRESNO
AND
CITY OF AMALGAMATED TRANSIT UNION, LOCAL 1027 (ATU)
UNIT 06

**Resumption of Holiday Bus Service on
Fourth of July, Thanksgiving Day, Christmas Day, New Years Day**

This agreement sets forth the full and entire understanding of the parties regarding the impact to employees of resumption of bus service to the public on the Fourth of July, Thanksgiving, Christmas and New Years Day. Any previous understandings, side letters of agreement, Memorandum of Understanding (MOU) provisions, or agreements by the parties regarding full time operators working these four (4) Holidays and the utilization of Permanent Part-Time (PPT) operators during these four (4) Holidays which conflict with these provisions are hereby superseded. This agreement is self-governing and independent of any current or expired agreements between the parties, and is governed by the terms and conditions contained herein. This agreement shall become effective July 1, 2007 and terminate January 2, 2009, upon approval by the Council.

It is agreed upon between the parties hereto that this Agreement covers the labor provision for extended holiday operations in Fiscal Years 2008 and part of Fiscal Year 2009 as follows:

1. July 4, 2007 and New Years Day, January 1, 2008

- A special bid will be held starting with the most senior full time operator and working down through the full time seniority list, then through the PPT operator seniority list until all shifts are filled. If shifts are not filled through this procedure, then Management will assign work pieces, starting with the least senior PPT operators, working up through the PPT seniority list, and then from the bottom of the full time seniority list up.
- All operators are eligible to bid, including operators who have a scheduled day off on the holiday, with the exception of operators who have bid vacations that cover the holiday.
- Full time operators hired before August 1, 2006 will be paid eight (8) hours holiday pay plus time and one-half (1.5) for actual hours worked on the holiday.
- Full time operators hired after August 1, 2006 will be paid eight (8) hours holiday pay plus straight time for actual hours worked on the holiday.
- PPT operators hired before August 1, 2006 will receive six and two fifths (6.4) hours of holiday pay plus time and one-half (1.5) for actual hours worked on the holiday

- PPT operators hired after August 1, 2006 will receive six and two-fifths (6.4) hours of holiday pay plus straight time for actual hours worked on the holiday.
- Employees working these said assignments may not receive in excess of 1.5 times their rate of pay plus eight (8) hours of Holiday leave unless required by law.

2. Thanksgiving 2007 and Christmas 2007

- The City will operate an abbreviated schedule on these two holidays.
- All provisions regarding bidding and pay stated above for the July 4, 2007 and New Years Day January 1, 2008 service will apply to the November 22, 2007 Thanksgiving Holiday and the December 25, 2007 Christmas Holiday.

3. July 4, 2008, Thanksgiving 2008, Christmas 2008 and January 1, 2009

- A special bid will be held starting with the most senior full time operator and working down through the full time seniority list, then through the PPT operator seniority list until all shifts are filled. If shifts are not filled through this procedure, then Management will assign work pieces, starting with the least senior PPT operators, working up through the PPT seniority list, and them from the bottom of the full time seniority list up.
- Operators can participate in this bid only if the holiday falls on their regular work day.
- No operator on vacation can participate in this special bid assignment.
- All full time operators will receive eight (8) hours of holiday pay plus straight time for actual hours worked.
- All PPT operators will receive six and two-fifths (6.4) hours of holiday pay plus straight time for actual hours worked.
- An abbreviated service schedule will be operated on Thanksgiving 2008 and Christmas 2008.

The parties to this agreement understand that this Side Letter of Agreement is a transitional effort to accomplish improved service to the City's transit customers through the addition of service on the four holidays listed above. This letter of agreement sunsets January 2, 2009.

**AMALGAMATED TRANSIT
UNION, LOCAL 1027**

FOR THE CITY OF FRESNO

By: _____
RICK STEITZ
President, ATU

By: _____
KENNETH G. PHILLIPS
Labor Relations Manager

**APPROVED AS TO FORM
CITY ATTORNEY'S OFFICE
BY:**
Victoria Parks Tuttle
Deputy City Attorney