

RESOLUTION NO. OCSD 19-10

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ORANGE COUNTY SANITATION DISTRICT APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE ORANGE COUNTY SANITATION DISTRICT AND THE INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 501, FOR FISCAL YEARS 2019/2020, 2020/2021 & 2021/2022

WHEREAS, on October 26, 2016, the Board of Directors ("Directors") of the Orange County Sanitation District (the "District") authorized the General Manager to sign the Memoranda of Understanding with the International Union of Operating Engineers Local 501 (referred hereinafter as "Local 501"), regarding salaries, benefits and terms and conditions of employment for the period July 1, 2016 through June 30, 2019 ("2016 MOU").

WHEREAS, prior to the expiration of the 2016 MOU on June 30, 2019, Local 501 requested to meet and confer regarding a successor MOU.

WHEREAS, pursuant to Government Code Section 3500, *et seq.*, representatives of LOCAL 501 have met and conferred with the representatives of the District and have reached an understanding with regard to certain terms and conditions relative to employment;

WHEREAS, through negotiations the parties agreed that any salary changes would take effect retroactively to July 5, 2019, the first pay period in the current fiscal year; and

WHEREAS, the parties have modified the 2019 MOU between the District and Local 501 to reflect the parties' understanding regarding certain terms and conditions, which include:

- Duration of the MOU has been modified and will be for a 3-year term commencing July 1, 2019, and terminating June 30, 2022, as reflected in the Cover Page and Articles 1 and 2 of the MOU.
- Salary Adjustments and Compensation has been modified as set forth below and as reflected in Article 13 of the MOU:
 - Year 1 – 3.0% Salary Increase, retroactive to the first pay period of July 2019.
 - Year 2 – 3.0% Salary Increase, effective the first pay period of July 2020.
 - Year 3 – 3.0% Salary Increase, effective the first pay period of July 2021.
 - Development Pay:
 - Associate Degree: \$25.00 per pay period
 - Undergraduate Degree: \$50.00 per pay period
 - Certification/License: \$15.24 per pay period per certification/license with a maximum of three (3).
- Holidays has been modified as set forth below and as reflected in Article 16 of the MOU:

- Language cleanup to reflect that employee election to receive Holiday Compensatory Time Off is due by December 31st of prior year; housekeeping changes.
- Hours of Work has been modified as set forth below and as reflected in Article 17 of the MOU:
 - Employees' cleanup period designated as last fifteen (15) minutes of shift. Language cleanup to reflect that Power Plant Operators are grouped under Operations for Hours of Work.
 - Reopener to discuss Power Plant Operator job family and staffing of Central Generation.
- Standby Pay has been modified as set forth below and as reflected in Article 19 of the MOU:
 - Standby Pay increased to five hundred (500) dollars per week.
 - Side Letter language incorporated regarding standby requirements for Collections System staff.
- Insurance has been modified as set forth below and as reflected in Article 20 of the MOU:
 - Reopener to discuss establishment of Health Retirement Account (HRA) for all employees.
- Retirement has been modified as set forth below and as reflected in Article 25 of the MOU:
 - Housekeeping changes to remove outdated language.
- Leave-of-Absence With Pay has been modified as set forth below and as reflected in Article 27 of the MOU:
 - Bereavement leave shall be used within six (6) months of death of immediate family member; requests for exceptions may be submitted to Director of Human Resources for approval. Employee may be required to furnish evidence of family member's death and/or of familial relationship.
 - Housekeeping changes.
- Leave-of-Absence Without Pay has been modified as set forth below and as reflected in Article 28 of the MOU:
 - Housekeeping changes.
- Classification Studies has been modified as set forth below and as reflected in Article 29 of the MOU:
 - Reopener to discuss Mechanic series pay grade.
- Uniforms has been modified as set forth below and as reflected in Article 44 of the MOU:
 - Boot allowance increased from \$170 to \$200 annually.

- Dues Deductions has been modified as set forth below and as reflected in Article 46 of the MOU:
 - Language cleanup to align with current law.
- Agency Shop has been modified as set forth below and as reflected in Article 47 of the MOU:
 - Language cleanup to align with current law; article title changed to “Union Dues”.
- Shift Changes has been modified as set forth below and as reflected in Article 49 of the MOU:
 - Shift bidding process updated to allow employees to bid on any shift including their current shift. Employees will be verbally notified of shift location before accepting shift bid; District may inform employee that their work location will not be changed.
- Resignation has been modified as set forth below and as reflected in Article 51 of the MOU:
 - The District may accept any verbal or written resignation at any time and deem such resignation irrevocable. Written resignations automatically deemed irrevocable after 72 hours, except by approval of HR.
- Operator Certification has been modified as set forth below and as reflected in Article 52 of the MOU:
 - The District will reimburse Operations and Maintenance employees for required certifications upon receiving a passing score.

NOW, THEREFORE, the Board of Directors of the Orange County Sanitation District, DOES HEREBY RESOLVE, DETERMINE AND ORDER:

Section 1. The aforementioned MOUs between the District and Local 501 for the contract period of July 1, 2019 through June 30, 2022 as outlined herein are hereby approved.

Section 2. The General Manager is authorized to sign the Memoranda of Understanding with Local 501 for the period of July 1, 2019 through June 30, 2022, in a form approved by General Counsel.

PASSED AND ADOPTED at a regular meeting of the Board of Directors held August 28, 2019.

David John Shawver
Board Chairman

ATTEST:

Kelly A. Lore, MMC
Clerk of the Board

[illegible]

I, Kelly A. Lore, Clerk of the Board of Directors of the Orange County Sanitation District, do hereby certify that the foregoing Resolution No. OCSD 19-10 was passed and adopted at a regular meeting of said Board on the 28th day of August 2019, by the following vote, to wit:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of Orange County Sanitation District this 28th day of August 2019.

Kelly A. Lore, MMC
Clerk of the Board of Directors
Orange County Sanitation District