

RESOLUTION NO. 13-2021

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFICA APPROVING THE SIDE LETTERS OF AGREEMENT REGARDING WORKING OUT OF CLASS/LIMITED TERM ASSIGNMENTS WITH TEAMSTERS LOCAL 856, WASTEWATER TREATMENT PLANT BARGAINING UNIT AND TEAMSTERS LOCAL 856, MISCELLANEOUS BARGAINING UNIT

WHEREAS, the Side Letters of Agreement regarding Working Out of Class/Limited Term Assignments have been negotiated and agreed to by the Teamsters Local 856, Wastewater Treatment Plant Bargaining Unit, the Teamsters Local 856, Miscellaneous Bargaining Unit and the City;

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Pacifica that certain wages, salaries, fringe benefits, and working conditions as described in said Side Letters of Agreement with members of the Teamsters Local 856, Wastewater Treatment Plant Bargaining Unit, and the Teamsters Local 856, Miscellaneous Bargaining Unit, copies attached, are hereby authorized; and

BE IT FURTHER RESOLVED that the City Manager or his designee is authorized to execute said agreements.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Pacifica, California, held on 8th day of March, 2021 by the following vote:

AYES, Councilmembers: Beckmeyer, Bier, Bigstyck, O'Neill, Vaterlaus.

NOES, Councilmembers: n/a

ABSENT, Councilmembers: n/a


ABSTAIN, Councilmembers: n/a


Sue Beckmeyer, Mayor

ATTEST:


Sarah Coffey, City Clerk

APPROVED AS TO FORM:


Michelle Kenyon, City Attorney

**SIDE-LETTER OF
AGREEMENT
BETWEEN
THE CITY OF PACIFICA AND
THE TEAMSTERS LOCAL 856, WASTEWATER BARGAINING UNIT**

The City of Pacifica (the “City”) and the Teamsters Local 856, Wastewater Treatment Plant Bargaining Unit (the “Union”) entered into a Memorandum of Understanding (“MOU”) effective 2018 – 2021. The City and the Union are collectively referred to herein as the “Parties.” Pursuant to the provisions of the Meyers-Milias-Brown Act (“MMBA”), the Parties enter into this Side Letter of Agreement (“Side Letter”) to amend Section 7.12 of the MOU.

The City and members of the Union have met and conferred in good faith, in accordance with the MMBA, concerning the terms and conditions of this Side Letter. The specific provisions contained in this Side Letter are intended to supersede any previous agreements, whether oral or written, regarding matters contained in this Side Letter. Further, except as provided herein, all wages, hours and other terms and conditions of employment presently enjoyed by the Union in the existing MOU shall remain in full force and effect.

Effective March 12, 2021, the Parties mutually agree to make the following changes to Section 7.12 of the MOU to read as follows:

7.12 Work Out of Classification/Limited Assignment

7.12.1 Procedure. A unit member shall not work out of his classification except in emergencies, or unless he is specifically assigned by his department director, or the department director’s duly authorized representative in accordance with the following procedure: A unit member may be reassigned from the duties of his classification to perform the duties of another classification by means of a Limited Assignment. Limited Assignment shall be in writing on an approved form, which among other things shall indicate the name of the unit member, his regular classification, and the classification to which he is assigned on a limited basis. The Limited Assignment must be dated and signed by the department director or his duly authorized representative and approved by the City Manager.

7.12.2 Compensation. If a unit member works on a Limited Assignment in a higher classification for one full workweek or five consecutive workdays, the unit member shall be paid at either the beginning of the salary range for such higher classification or five percent (5%) above the unit member’s current base salary, whichever is greater, retroactive to the first day the unit member began the Limited Assignment. Unit members who work a Limited Assignment in a higher classification for less than one full workweek or five consecutive workdays, as well as unit members who work a Limited Assignment in a lower classification shall continue to be paid their regular salary.

7.12.3 Eligibility. To be assigned a Limited Assignment in a higher classification, the employee must possess the minimum qualifications and the requisite knowledge, skills and abilities to perform the work as determined by the Department Head or the Department Head's designee. Unit members shall be allowed to work in Limited Term Assignments regardless of whether the position is vacant or temporarily unoccupied by the incumbent.

Date of Revisions to Section 7.12: March 8, 2021.

For the Teamsters Wastewater
Bargaining Unit

For the City of Pacifica

Labor Representative

Assistant City Manager

Date:

Date:

**SIDE-LETTER OF
AGREEMENT
BETWEEN
THE CITY OF PACIFICA AND
THE TEAMSTERS LOCAL 856, MISCELLANEOUS BARGAINING
UNIT**

The City of Pacifica (the “City”) and the Teamsters Local 856, Miscellaneous Bargaining Unit (the “Union”) entered into a Memorandum of Understanding (“MOU”) effective 2018 – 2021. The City and the Union are collectively referred to herein as the “Parties.” Pursuant to the provisions of the Meyers-Milias-Brown Act (“MMBA”), the Parties enter into this Side Letter of Agreement (“Side Letter”) to amend Section 7.13 of the MOU.

The City and members of the Union have met and conferred in good faith, in accordance with the MMBA, concerning the terms and conditions of this Side Letter. The specific provisions contained in this Side Letter are intended to supersede any previous agreements, whether oral or written, regarding matters contained in this Side Letter. Further, except as provided herein, all wages, hours and other terms and conditions of employment presently enjoyed by the Union in the existing MOU shall remain in full force and effect.

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Date of Revisions to Section 7.13: March 8, 2021.

For the Teamsters Miscellaneous
Bargaining Unit

For the City of Pacifica

Labor Representative

Assistant City Manager

Date:

Date: