

**METROPOLITAN EXPOSITION RECREATION COMMISSION**

**Resolution No. 13-04**

For the purpose of ratifying the collective bargaining agreement with the International Longshore and Warehouse Union, (ILWU) Local 28.

**WHEREAS**, the Metropolitan Exposition Recreation Commission's (MERC) designated representatives for labor relations and ILWU have negotiated in good faith; and

**WHEREAS**, the parties have reached an agreement for a three year collective bargaining agreement; and

**WHEREAS**, the Union membership is voting to ratify the collective bargaining agreement on February 6, 2013; and

**WHEREAS**, MERC believes that the collective bargaining agreement is fair, reasonable, and in the public interest.

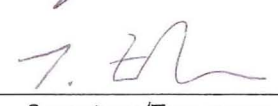
**BE IT THEREFORE RESOLVED**, that the Metropolitan Exposition Recreation Commission:

- 1) Approves the collective bargaining agreement contingent upon ILWU Local 28 membership ratifying the contract attached to this Resolution as Exhibit A.
- 2) Authorizes and directs the General Manager of Visitor Venues, or her delegate, to execute the collective bargaining agreement and forward it to the Union for signature.

Adopted by the Commission on February 6, 2013.

Approved as to Form:  
Alison Kean Campbell, Metro  
Attorney

  
\_\_\_\_\_  
Chair

  
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Secretary/Treasurer

By: 

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Nathan A. Schwartz Sykes, Senior  
Attorney

## MERC STAFF REPORT

**Agenda Item/Issue:** For the purpose of approving a collective bargaining agreement with the International Longshore and Warehouse Union

**Resolution No. 13-04** **Presented by:** Mary Rowe, Metro Human Resources Director

**Date:** January 25, 2013

**Background and Analysis:** Bargaining began in March, 2012. Tentative agreement was reached on the contract on May 14, 2012; however, the Union failed to ratify the contract. We then approached the Union about returning to the bargaining table but were unsuccessful in our attempts to meet and discuss the reason the contract was not ratified. After filing an Unfair Labor Practice, both parties met in mediation on January 22, 2013 and reached a tentative agreement.

The provisions in this contract continue efforts to bargain consistent language across the six MERC contracts and the two Metro contracts. Standard language around management rights, protected leaves, and health insurance are part of this agreement.

**RESOLUTION:** The resolution states the MERC Commission approves ratification of the contract contingent upon ILWU Local 28's ratification. The major elements of the Agreement are as follows:

**Term of Agreement:** July 1, 2012-June 30, 2015.

**Wages:** There will be additional steps added to the contract which increase wages by 2.5% the first year, 2.5% the second year and 2% the third year of the contract.

**Insurance:** Metro will contribute 94% of the insurance premium costs per plan and employees will pay 6% the first two years of the contract. Beginning July 1, 2014 Metro will pay 92% and the employees will pay 8%.

**PERS:** Employees hired after ratification of the contract will pay the employee portion of PERS. This is consistent with what is being negotiated with other bargaining units and Metro's overall strategy to maintain long term fiscal stability of personnel costs.

**Language Changes:** Significant language changes between the previous and proposed Agreement appear below.

*Sick Leave:* Call in was increased to two (2) hours.

*Personnel File:* New language was negotiated that allows retention of disciplinary documents for more egregious misconduct for an additional two years.

*Other Leaves:* Obsolete leave language was replaced so that family and military leave follow applicable state/federal law.

**SHORT RANGE FISCAL IMPACT:** The costs of the collective bargaining agreement are within budgeted amounts for FY 12-13 and within what will be proposed for the FY 2013-14 budget.

**LONG RANGE FISCAL IMPACT:** The costs of the collective bargaining agreement will be reflected in future budget years and are viewed as reasonable and consistent with other employee compensation.

**RECOMMENDATION:** Staff recommends approval of Resolution 13-04 which states the MERC Commission approves ratification of the contract contingent upon ILWU ratifying the contract.