

# **METROPOLITAN EXPOSITION-RECREATION COMMISSION**

## **RESOLUTION NO. 94-76**

**WHEREAS, Measure 8 requires employees to pay the previously employer paid 6 percent employee "pick up" contribution out of wages or salaries beginning January 1, 1995; and**

**WHEREAS, Metro ERC has discussed this additional cost to employees with the International Union of Operating Engineers (IUOE) Local 701, as well as amending three provisions in the Collective Bargaining Agreement which were of concern to Metro ERC; and**

**WHEREAS, Metro ERC and IUOE Local 701 have reached a tentative agreement that gives both the full-time employees and Metro ERC a reasonable resolution to these important issues; and**

**WHEREAS, The tentative agreement provides a 5.5 percent increase in wages or salaries for full-time employees in the IUOE Local 701 bargaining unit, and Metro ERC has budgeted this amount in the Fiscal Year 1994-95 Budget; and**

**WHEREAS, The tentative agreement is cost neutral to Metro ERC; and**

**WHEREAS, The tentative agreement is subject to ratification by a Metro ERC resolution; and**

**WHEREAS, Pursuant to Metro Code Section 6.01.080, Metro ERC resolutions such as this do not take effect for 10 days after approval by Metro ERC, and during that time are subject to review by the Metro Council; and**

**WHEREAS, On December 22, 1994, the Metro Council is considering a 5.5 percent pay increase for Metro employees; and**

**WHEREAS, The Commission wishes to maintain parity with Metro with respect to this issue; and**

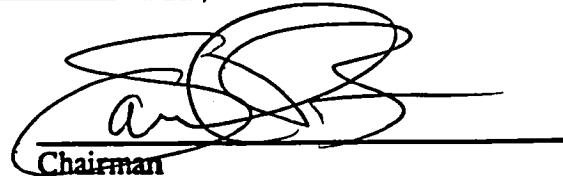
**WHEREAS, The Metro Council has the ability to review the Commission's resolutions; and**

**WHEREAS, By passing this Resolution now, the Commission can enable Metro to review this action on December 22, 1994, at the same time that the issue relating to Metro employees is before the Council; now, therefore,**

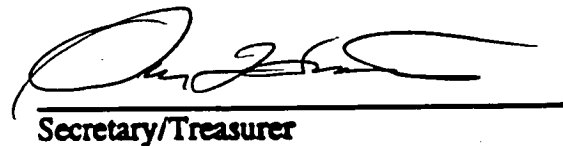
**BE IT RESOLVED,**

1. That the IUOE Local 701 Collective Bargaining Agreement is amended to include the tentative agreement in Exhibit "A" attached hereto.
2. That the pay schedule for the IUOE Local 701 is amended as shown in Exhibit "B" attached hereto.
3. That the Commission requests that the Metro Council exercise its authority to review and vote on this Resolution at its December 22, 1994, meeting in order to ensure parity between Metro and Metro ERC employees on this issue.

**PASSED** by the Commission on DECEMBER 14, 1994.



Chairman



Secretary/Treasurer

**APPROVED AS TO FORM:**  
Daniel B. Cooper, General Counsel



By: Mark B. Williams  
Senior Assistant Counsel

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1202

Settlement Agreement

Between Metro E-R Commission and IUOE LOCAL 701

1. Effective December 16, 1994:

a. All full-time employees in the IUOE Local 701 bargaining unit will receive a five and one-half percent (5-1/2%) pay increase. On the 5-1/2% increase, additional Employer variable fringe costs of approximately 1/2% equal an overall 6% cost impact to MetroERC.

b. Each salary range shall include the five and one-half percent (5-1/2%) increase.

c. Employees will commence paying the 6% employee pick up contribution for PERS.

2. MetroERC, through separate Resolution, will propose prior to December 31, 1994, to not consider the "picked up" amount deducted from an employees wages or salary as taxable income for tax purposes.

3. MetroERC shall have the ability to roll-back the five and one-half percent (5-1/2%) increase if lawsuits are won invalidating the mandatory 6% employee pick up contribution paid out of employees wages or salaries.

4. Article 13 - Clothing Allowance, Section A, is amended to read:

"Employees covered by this Agreement will receive three sets of uniforms between the dates of July 1 and August 31 each year including shirts and pants. The Employer will also provide one jacket with liner per year if needed. Replacement items will be provided as needed."

5. Article 15 - Holiday, Section C, is amended to read:

~~"The three (3) personal days will be used as the employee's first three days of vacation time. The personal days must be used within the fiscal year in which they accrue. An employee can use personal holiday hours in not less than four (4) hour blocks of time. An employee must request and obtain prior approval before taking such leave. Personal holiday hours not taken by an employee during the fiscal year shall be lost and are not compensable. Employees hired between July 1 and October 30 will receive three (3) personal days; employees hired between November 1 and February 28 (February 29 in leap year) will receive two (2) personal days; and employees hired between March 1 through June 30 receive one (1) personal day. Requests for use of personal days will be~~

~~scheduled as vacation leave in Article 14, Section C. Should no vacation hours be taken within the fiscal year, the three (3) personal days will be lost."~~

6. The empty Lead Electrician classification is eliminated and deleted from the pay schedule.

FOR THE UNION:

Juanita White

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Date: 12-2-94

FOR METRO:

P. Pini

R. M. Davis

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Date: 12/1/94

**METROPOLITAN EXPOSITION-RECREATION COMMISSION  
INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 701  
PAY SCHEDULE**

<b>Classification</b>	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>
Apprentice Operating Engineer*	15.92	16.86	17.79
Operating Engineer	18.73		
Lead Operating Engineer	19.64		
Electrician	20.67		
Lead Electrician	21.70		
Utility Technician	17.16		

\* Apprentice Engineers are compensated at 85% of the journey level (Operating Engineer) rate for the first year of the apprenticeship program and then receive 90% and 95% for the second and third years respectively until full Operating Engineers pay is attained at the beginning of the fourth year of the apprenticeship program. Pay raises at the conclusion of each one year period following the date of employment are contingent upon the successful and timely completion of the requirements of the apprenticeship program.

**Effective: December 16, 1994 - June 30, 1995**

**Prepared: December 2, 1994**

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INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 701  
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## STAFF REPORT

### CONSIDERATION OF RESOLUTION NO. 94-76 FOR THE PURPOSE OF RATIFYING THE INTERNATIONAL UNION OF OPERATING ENGINEERS (IUOE) LOCAL 701 SETTLEMENT AGREEMENT.

Date: December 8, 1994

Presented by: Pat LaCrosse  
Paula Paris

**BACKGROUND:** With the passage of Measure 8, employers are prohibited from "picking up" the 6% employee contribution for PERS. Measure 8 further mandates that employees must pay the 6% employee contribution from wages or salary. This results in a reduction of employee pay by 6%.

IUOE Local 701 asked to bargain the impact of this pay reduction with MetroERC, and Metro and MetroERC agreed to discuss this issue with the union along with other issues of importance to MetroERC. As a result of those discussions, a settlement agreement has been reached which provides a reasonable resolution to these issues:

- Employees will receive a five and one-half percent (5-1/2%) pay increase effective December 16, 1994, which shall be incorporated into the pay schedule, and the employees will begin paying the 6% employee "pick up" contribution from wages or salary.
- MetroERC has the ability to roll back the 5-1/2% increase if lawsuits are won which invalidates the mandatory 6% employee pick-up from employee wages or salary.
- Article 13 - Clothing Allowance, Section A, is amended to provide jackets yearly only if needed rather than the current yearly basis.
- Article 15 - Holiday, Section C, is amended to remove personal days from vacation leave and to use as authorized and in four hour blocks of time.
- The empty Lead Electrician classification is eliminated and deleted from the pay schedule.

**FISCAL IMPACT:** This resolution will be cost neutral. Up to this point, MetroERC has regularly picked up the 6% employee contribution in PERS. However, with the implementation of Measure 8 the employees must now pick up that 6% employee contribution, which allows the budgeted 6% pick up amount to be used to neutralize this five and one-half (5-1/2%) pay increase. The 5-1/2% increase plus 1/2% variable fringe costs equals the 6% already budgeted in personal services.

**RECOMMENDATION:** We believe this settlement is necessary for consistent and equitable labor relations within MetroERC, and provides a legitimate and justifiable resolution to important issues for both MetroERC and its employees. It is, therefore, recommended by the General Manager that Resolution No. 94-76 be approved.