

RESOLUTION NO. 4493-2021

RESOLUTION OF THE FORT BRAGG CITY COUNCIL APPROVING AN AMENDMENT TO THE CURRENT MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF FORT BRAGG AND THE FORT BRAGG EMPLOYEE ORGANIZATION AND SERVICE EMPLOYEES INTERNATIONAL UNION AND AUTHORIZING CITY MANAGER TO EXECUTE SAME

WHEREAS, the Memorandum of Understanding is the collective bargaining agreement between the City of Fort Bragg and the Fort Bragg Employee Organization and Service Employees International Union, Local 1021 (SEIU); and

WHEREAS, the City of Fort Bragg (City) and the SEIU executed the Memorandum of Understanding between the City of Fort Bragg and the Fort Bragg Employee Organization (SEIU MOU) effective: July 1, 2007 through June 30, 2011; July 1, 2011 through June 30, 2014; July 13, 2014 through June 30, 2017; October 23, 2017 through June 30, 2019; and July 1, 2019 through June 30, 2022; and

WHEREAS, the SEIU MOU ARTICLE 13-ASSIGNED STANDBY AND CALLBACK TIME sets forth how standby and call back pay will be calculated for employees; and

WHEREAS, the SEIU MOU ARTICLE 13-ASSIGNED STANDBY AND CALLBACK TIME 1. *Assigned Standby at Water and Wastewater Treatment Facility* establishes standby pay for employees assigned to Water and Wastewater Treatment during off hours; and

WHEREAS, the City and SEIU desire to add an employee from Maintenance to be on standby during off hours to ensure timely response when it is necessary to call out staff to respond to incidents and emergencies; and

WHEREAS, the estimated annual impact to the City's General Fund Budget is \$26,600 annually; and

WHEREAS, FY 21-22 Budget Amendment 2022-17 includes an appropriation of \$13,300 for the increased salary costs associated with the expansion of Standby pay to Maintenance Workers for the remaining six months of Fiscal Year 2021-22; and

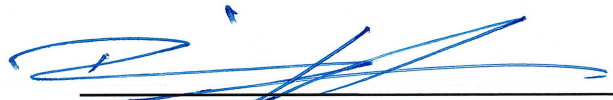
WHEREAS, based on all the evidence presented, the City Council finds as follows:

1. The foregoing recitals are true and correct and are made a part of this Resolution.
2. It is in the best interest of the City to have Maintenance assigned to standby during off hours and to respond as needed incidents and emergencies.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg does hereby approve the amendment to the SEIU MOU effective January 1, 2022, attached hereto as Exhibit A, and authorizes the City Manager to execute the same.

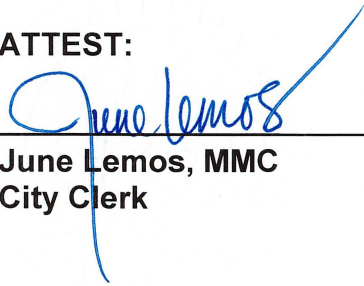
The above and foregoing Resolution was introduced by Councilmember Peters, seconded by Councilmember Morsell-Haye, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 27th day of December, 2021, by the following vote:

AYES: Councilmembers Albin-Smith, Morsell-Haye, Rafanan, Peters and Mayor Norvell.
NOES: None.
ABSENT: None.
ABSTAIN: None.
RECUSED: None.



Bernie Norvell
Mayor

ATTEST:



June Lemos, MMC
City Clerk

EXHIBIT A

ARTICLE 13 – ASSIGNED STANDBY AND CALLBACK TIME

1. Assigned Standby ~~at Water and Wastewater Treatment Facility~~

a. The City shall assign an employee to be on standby from Maintenance and an employee to be on standby at Water and Wastewater Treatment during off hours and ~~the~~ each employee shall be compensated in accordance with this section. For purposes of this Section, "assigned standby" shall be defined as a period of time during which an employee designated by his/her supervisor or Department Manager shall be available to provide services when needed. "Available" means that, during the entire standby period, the employee can be contacted immediately by those in need of services, either by telephone or other means of communication, and that the employee is able to commence providing the services within thirty (30) minutes of the contact.

Employees shall be compensated at an assigned standby rate of two hours of pay at their regular hourly pay rate per day assigned as standby person.

b. If called out to perform any service during an assigned standby period, the employee shall receive a minimum credit of two-hours (or the actual time worked if over two hours) of overtime in addition to the stand-by rate.