

Ordinance No. 122719

Council Bill No. 116236

AN ORDINANCE, relating to City employment; authorizing the execution of a Memorandum of Understanding between the City of Seattle and the International Association of Machinists and Aerospace Workers, District Lodge 160, Local 79; amending the current Collective Bargaining Agreement to include Appendix B, identifying job titles that comprise a new bargaining unit; and providing payment therefor.

6/2/08
Culture, Civil Rights

Date Re - Referred:	To: (committee) <u>Health + Personnel</u>
Date Re - Referred:	To: (committee)
Date of Final Passage: <u>6-16-08</u>	Full Council Vote: <u>6-0</u>
Date Presented to Mayor: <u>6-12-08</u>	Date Approved: <u>6-25-08</u>
Date Returned to City Clerk: <u>6-25-08</u>	Date Published: <u>3</u> T.O. <input checked="" type="checkbox"/> F.T. <input type="checkbox"/>
Date Vetoed by Mayor:	Date Veto Published:
Date Passed Over Veto:	Veto Sustained:

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: *Nick...*
Councilmember

Committee Action:

pass 3-0 NL, JG, TR 6/11/08 EA

6-16-08 Passed 6-0 (Excused: Conlin, Godden, Licata)

This file is complete and ready for presentation to Full Council. Committee: _____ (initial/date)

Law Department

Law Dept. Review

OMP Review

City Clerk Review

Electronic Copy Loaded

Indexed



City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

May 20, 2008

Honorable Richard Conlin
President
Seattle City Council
City Hall, 2nd Floor

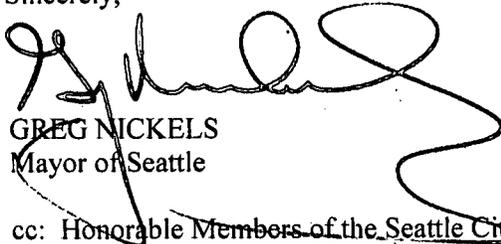
Dear Council President Conlin:

I am pleased to transmit the attached proposed Council Bill authorizing the execution of a Memorandum of Understanding between the City of Seattle and the International Association of Machinists and Aerospace Workers, District Lodge 160, Local 79 (hereafter referred to as "Local 79"). The proposed Council Bill also amends the current collective bargaining agreement between the City and Local 79 to include Appendix B, which identifies the titles of Waterworks Maintenance Specialist and Senior Waterworks Maintenance Specialist as a new bargaining unit that shall receive the same wages, benefits and other conditions of employment received by existing Local 79 members. This legislation affects approximately five regular City employees.

The new bargaining unit is a result of Local 79 petitioning the Washington State Public Employees Relations Commission ("PERC") in late 2006 to determine union representation. In January of 2007, PERC reviewed Local 79's petition (Case No. 20753-E-06-3199) and issued Decision No. 9575, finding employees in the job title of Waterworks Maintenance Specialist and Waterworks Maintenance Specialist Senior in the Mechanical section of Seattle Public Utilities to be an appropriate bargaining unit. The City and Local 79 then entered into negotiations and came to an agreement that the new bargaining unit would be included as Appendix B in the existing collective bargaining agreement. Legislation is sought to affirm the addition of these employees to the collective bargaining agreement under the Local 79 agreement in lieu of bargaining a new collective bargaining agreement altogether.

Thank you for your consideration of this legislation. Should you have questions, please contact David Bracilano at extension 4-7874 or Sarah Butler at extension 4-7929.

Sincerely,



GREG NICKELS
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

600 Fourth Avenue, 7th Floor, P.O. Box 94749, Seattle, WA 98124-4749

Tel: (206) 684-4000, TDD: (206) 615-0476 Fax: (206) 684-5360, Email: mayors.office@seattle.gov

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ORDINANCE 122719

AN ORDINANCE, relating to City employment; authorizing the execution of a Memorandum of Understanding between the City of Seattle and the International Association of Machinists and Aerospace Workers, District Lodge 160, Local 79; amending the current Collective Bargaining Agreement to include Appendix B, identifying job titles that comprise a new bargaining unit; and providing payment therefor.

WHEREAS, employees in the Mechanical section of Seattle Public Utilities signed certification cards for representation with the International Association of Machinists and Aerospace Workers, District Lodge 160 in September of 2006, and the International Association of Machinists and Aerospace Workers, District Lodge 160 petitioned the Washington State Public Employees Relations Commission for determination of union representation; and

WHEREAS, the Washington State Public Employees Relations Commission reviewed Case No. 20753-E-06-3199 and issued Decision No. 9575 on January 30, 2007 determining employees in the job title of Waterworks Maintenance Specialist and Waterworks Maintenance Specialist Senior in the Mechanical section of Seattle Public Utilities to be an appropriate bargaining unit; and

WHEREAS, the City of Seattle and the International Association of Machinists and Aerospace Workers, District Lodge 160 entered into negotiations to determine the wages, working conditions, and other conditions of employment of the new bargaining unit; and

WHEREAS, the City of Seattle and the International Association of Machinists and Aerospace Workers, District Lodge 160 came to an agreement that the new bargaining unit be included as Appendix B in the existing International Association of Machinists and Aerospace Workers, District Lodge 160, Local 79 Collective Bargaining Agreement;
NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Authorizing the execution of a Memorandum of Understanding between the City of Seattle and the International Association of Machinists and Aerospace Workers, District Lodge 160, Local 79. As requested by the Personnel Director and recommended by the Mayor, the



1 Mayor or his designee, is hereby authorized for and on behalf of the City of Seattle to sign and/or
2 execute the Memorandum of Understanding between the City of Seattle and the International
3 Association of Machinists and Aerospace Workers, District Lodge 160, Local 79, substantially in
4 the form attached hereto as Attachment 1, and identified as "Memorandum of Understanding by
5 and between the City of Seattle and the International Association of Machinists and Aerospace
6 Workers, District Lodge 160, Local 79."

8 Section 2. Amending the current Collective Bargaining Agreement to include Appendix
9 B, which identifies job titles that comprise the new bargaining unit. Appendix B is attached
10 hereto as Attachment 2 and identified as "Appendix B International Association of Machinists &
11 Aerospace Workers, District Lodge No. 160, Local No. 79."

13 Section 3. The heads of employing units and/or their designees are hereby authorized to
14 use unexpended and unencumbered salary funds accumulating in their budgets to pay the
15 compensation authorized in the attached Memorandum of Understanding.

17 Section 4. Any act consistent with the authority and prior to the effective date of this
18 ordinance is hereby ratified and confirmed.

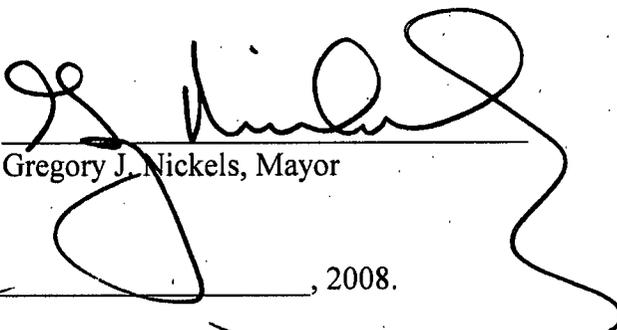


1 Section 5. This ordinance shall take effect and be in force thirty (30) days from and after
2 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days
3 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

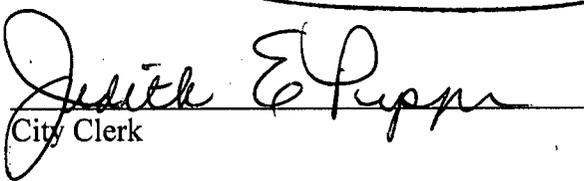
4 Passed by the City Council the 16th day of June, 2008, and
5 signed by me in open session in authentication of its passage this
6 16th day of June, 2008.

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President pro tem of the City Council

11 Approved by me this 25th day of June, 2008.

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14 Gregory J. Nickels, Mayor

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16 Filed by me this 25th day of June, 2008.

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18 
19 City Clerk

20 (Seal)

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22
23 Attachment 1: Memorandum of Understanding by and between the City of Seattle and the
International Association of Machinists and Aerospace Workers, District Lodge 160, Local 79

24 Attachment 2: Appendix B International Association of Machinists & Aerospace Workers,
25 District Lodge No. 160, Local No. 79

MEMORANDUM OF UNDERSTANDING

by and between

THE CITY OF SEATTLE

and the

**International Association of Machinist and Aerospace Workers,
District Lodge 160, Local 79**

Effective through December 31, 2008

This Memorandum of Understanding is supplemental to the Collective Bargaining Agreement by and between the City of Seattle, hereinafter referred to as the City, and the International Association of Machinist and Aerospace Workers, District Lodge 160, Local 79, hereinafter referred to as the Union.

It is understood and agreed by and between the City and the Union that:

1. Effective January 30, 2007, PERC certified the Waterworks Maintenance Specialists and Waterworks Maintenance Specialists, Senior in the Mechanical section of the Seattle Public Utilities Water Operations division as an appropriate unit for the purposes of collective bargaining (PERC Case 20753-E-06-3199).
2. The City and the Union have agreed to extend the terms and conditions of the current International Association of Machinist and Aerospace Workers, District Lodge 160, Local 79 Collective Bargaining Agreement to these two classifications as described in Section 1 of this MOU effective upon signature, excluding the provision for the 2008 Cost of Living Increase.
3. Effective December 26, 2007, the two classifications as described in Section 1 of this MOU shall receive a 2008 cost of living adjustment of 3.3%.
4. The City shall allow incumbent employees in the two classifications as described in Section 1 of the MOU to complete the City PDQ process and that review may or may not effect a change in the current wage rates.

Signed this _____ day of _____, 2008.

Aerospace Workers, District Lodge 160,
Local 79

The City of Seattle
Executed Under Authority of
Ordinance No. _____

Leif Jensen
Business Agent

Gregory Nickels
Mayor



**APPENDIX B
INTERNATIONAL ASSOCIATION OF MACHINISTS & AEROSPACE
WORKERS
DISTRICT LODGE NO. 160, LOCAL NO. 79**

This APPENDIX is supplemental to the AGREEMENT by and between The City of Seattle, hereinafter referred to as the City, and the International Association Of Machinists & Aerospace Workers District Lodge No. 160, Local No. 79, hereinafter referred to as the Union, for that period from January 1, 2008 through December 31, 2008.

This APPENDIX shall apply exclusively to those classifications identified and set forth herein.

B.1 Effective December 26, 2007, the classifications and the corresponding hourly rates of pay for each classification covered by this Appendix shall be as follows:

CLASSIFICATION	STEP A	STEP B	STEP C	STEP D
Waterworks Maintenance Specialist	23.17	24.05	25.01	25.01
Waterworks Maintenance Specialist, Senior	24.51	25.46	26.47	26.47

B.1.2 Assignment of the appropriate Hourly Rates of Pay (Pay Steps) for regular Employees shall be made in accordance with the pertinent provisions of Article 4.

B.2 Protective and specialized clothing shall continue to be provided per existing Departmental practice, through the duration of this Agreement, to Employees covered by this Appendix.



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Personnel	David Bracilano/47874 Sarah Butler/47929	Karen Grove/45805

Legislation Title:

AN ORDINANCE, relating to City employment; authorizing the execution of a Memorandum of Understanding between the City of Seattle and the International Association of Machinists and Aerospace Workers, District Lodge 160, Local 79; amending the current Collective Bargaining Agreement to include Appendix B, identifying job titles that comprise a new bargaining unit; and providing payment therefor.

• **Summary of the Legislation:**

The attached Council Bill authorizes the execution of a Memorandum of Understanding between the City of Seattle and the International Association of Machinists and Aerospace Workers, District Lodge 160, Local 79 (hereafter referred to as "Local 79") to amend the current Collective Bargaining Agreement to include a new bargaining unit. The current Collective Bargaining Agreement will be amended to include Appendix B, designating employees in Seattle Public Utilities Mechanical section with the job titles of Waterworks Maintenance Specialist, and Waterworks Maintenance Specialist Senior as bargaining unit members, and will extend to them the same wages, benefits and other conditions of employment received by existing Local 79 members. There are currently approximately five City employees affected by this legislation.

• **Background:** *(Include brief description of the purpose and context of legislation and include record of previous legislation and funding history, if applicable):*

In September of 2006, employees in the Mechanical section of Seattle Public Utilities signed certification cards for union representation with the International Association of Machinists and Aerospace Workers, District Lodge 160 ("IAMAW"). IAMAW petitioned the Washington State Public Employees Relations Commission ("PERC") to determine union representation. In January of 2007, PERC reviewed IAMAW's petition (Case No. 20753-E-06-3199) and issued Decision No. 9575 on January 30, 2007, finding employees in the job title of Waterworks Maintenance Specialist and Waterworks Maintenance Specialist Senior in the Mechanical section of Seattle Public Utilities to be an appropriate bargaining unit. Following PERC's decision, the City and IAMAW entered into negotiations to determine the wages, working conditions, and other conditions of employment of the new bargaining unit. The parties came to an agreement that the new bargaining unit would be included as Appendix B in the existing Local 79 Collective Bargaining Agreement.



MEMORANDUM OF UNDERSTANDING

by and between

THE CITY OF SEATTLE

and the

**International Association of Machinist and Aerospace Workers,
District Lodge 160, Local 79**

Effective through December 31, 2008

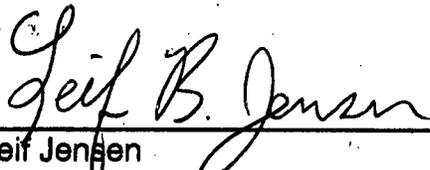
This Memorandum of Understanding is supplemental to the Collective Bargaining Agreement by and between the City of Seattle, hereinafter referred to as the City, and the International Association of Machinist and Aerospace Workers, District Lodge 160, Local 79, hereinafter referred to as the Union.

It is understood and agreed by and between the City and the Union that:

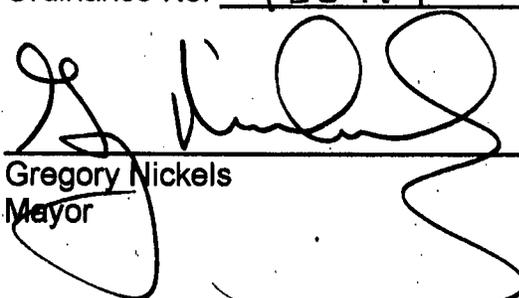
1. Effective January 30, 2007, PERC certified the Waterworks Maintenance Specialists and Waterworks Maintenance Specialists, Senior in the Mechanical section of the Seattle Public Utilities Water Operations division as an appropriate unit for the purposes of collective bargaining (PERC Case 20753-E-06-3199).
2. The City and the Union have agreed to extend the terms and conditions of the current International Association of Machinist and Aerospace Workers, District Lodge 160, Local 79 Collective Bargaining Agreement to these two classifications as described in Section 1 of this MOU effective upon signature, excluding the provision for the 2008 Cost of Living Increase.
3. Effective December 26, 2007, the two classifications as described in Section 1 of this MOU shall receive a 2008 cost of living adjustment of 3.3%.
4. The City shall allow incumbent employees in the two classifications as described in Section 1 of the MOU to complete the City PDQ process and that review may or may not effect a change in the current wage rates.

Signed this 7th day of July, 2008.

Aerospace Workers, District Lodge 160,
Local 79


Leif Jensen
Business Agent

The City of Seattle
Executed Under Authority of
Ordinance No. 122719


Gregory Nickels
Mayor

- *Please check one of the following:*

 This legislation does not have any financial implications. *(Stop here and delete the remainder of this document prior to saving and printing.)*

 X **This legislation has financial implications.** *(Please complete all relevant sections that follow.)*

Labor Relations estimates the cost of employees certifying with Local 79 to be approximately \$7,300 in 2008. The 2008 costs will be absorbed in Seattle Public Utilities' current budget and costs in 2009 and 2010 will be considered in the development of the proposed biennial budget.

- **What is the financial cost of not implementing the legislation?** *(Estimate the costs to the City of not implementing the legislation, including estimated costs to maintain or expand an existing facility or the cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs if the legislation is not implemented.)*

Not applicable

- **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** *(Include any potential alternatives to the proposed legislation, such as reducing fee-supported activities, identifying outside funding sources for fee-supported activities, etc.)*

There are no possible alternatives to the legislation that could achieve the same or similar objectives.

- **Is the legislation subject to public hearing requirements:** *(If yes, what public hearings have been held to date, and/or what plans are in place to hold a public hearing(s) in the future.)*

No.

- **Other Issues** *(including long-term implications of the legislation):*

There are no other issues.

Please list attachments to the fiscal note below:

None.



122719

FILED
CITY OF SEATTLE

08 JUL 18 PM 1:04

CITY CLERK

STATE OF WASHINGTON - KING COUNTY

--SS.

226209
CITY OF SEATTLE, CLERKS OFFICE

No. TITLE ONLY

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:122715-122722

was published on

06/30/08

The amount of the fee charged for the foregoing publication is the sum of \$ 105.38, which amount has been paid in full.



[Signature]

Subscribed and sworn to before me on
06/30/08 *[Signature]*

Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication



State of Washington, King County

City of Seattle

TITLE ONLY PUBLICATION

The full text of the following ordinance, passed by the City Council on June 30, 2008, and published here in title only, will be mailed at no cost, on request, for your information after this publication. For further information, contact the Seattle City Clerk at 624-8344.

ORDINANCE NO. 122722

AN ORDINANCE appropriating money to pay certain asserted claims and ordering the payment thereof.

ORDINANCE NO. 122721

AN ORDINANCE approving and confirming the plat of Terrace on Capitol Hill Addition to the City of Seattle, in a portion of Section 29, Township 25 North, Range 4 East, W.M., in King County, Washington.

ORDINANCE NO. 122720

AN ORDINANCE approving and confirming the plat of Brazil Addition to the City of Seattle, in a portion of Section 18, Township 25 North, Range 4 East, W.M., in King County, Washington.

ORDINANCE NO. 122719

AN ORDINANCE relating to City employment, authorizing the execution of a Memorandum of Understanding between the City of Seattle and the International Association of Machinists and Aerospace Workers, District Lodge 190, Local 79; amending the current Collective Bargaining Agreement to include Appendix B, identifying job titles that comprise a new bargaining unit; and providing payment therefor.

ORDINANCE NO. 122718

AN ORDINANCE relating to City employment, commonly referred to as the First Quarter 2008 Employment Ordinance; establishing new titles and/or salaries; establishing new salaries for certain non-represented titles in the same class series as represented titles; and designating positions as exempt from Civil Service status, all by a 2/3 vote of the City Council.

ORDINANCE NO. 122717

AN ORDINANCE relating to City employment, authorizing the Mayor to sign and/or execute a collective bargaining agreement between the City of Seattle and the Joint Crafts Council, establishing wage adjustments; and providing payment therefor.

ORDINANCE NO. 122716

AN ORDINANCE relating to the Department of Parks and Recreation, authorizing the Superintendent of Parks and Recreation to negotiate, execute, sign and convey easement rights over, under and across a portion of Fauntleroy Park for the purposes of installing, repairing, maintaining and reconstructing an existing retaining wall to repair and control landslide activity, and to accept payment and reimbursement therefor.

ORDINANCE NO. 122715

AN ORDINANCE relating to City employment, adopting a 2008 Citywide Position List.

Publication ordered by JUDITH PIPPIN, City Clerk.

Date of publication in the Seattle Daily Journal of Commerce, June 30, 2008.

