

Lakeside Plaza Building  
1401 Lakeside Drive, Suite 200  
Oakland, CA 94612-4305  
TDD: (510) 272-3703

Human Resource Services

June 10, 2010

Honorable Board of Supervisors  
Administration Building  
Oakland, CA 94612

# SECOND READING

**Subject: Memorandum of Understanding, Salary Ordinance Amendment, and One Sideletter of Agreement**

Dear Board Members:

**Recommendation:**

CONTINUED FROM

(Item #56)  
Tues. 6/29/10

That your Board (1) adopt an ordinance approving the June 27, 2009 through June 23, 2012 Memorandum of Understanding between the International Federation of Professional and Technical Engineers (IFPTE) Local 21, Civil Engineers Management Unit and the County of Alameda, (2) adopt a salary ordinance amendment amending Sections of Article 7, to implement changes agreed to with IFPTE and (3) adopt one Sideletter of Agreement.

**Discussion/Findings:**

Your representatives and representatives of IFPTE Local 21, Civil Engineers Management Unit, have reached agreement on a new Memorandum of Understanding with a term from June 27, 2009 through June 23, 2012. The agreement calls for zero wage increases for 2009, 2010 and 2011 and, effective upon adoption, IFPTE has agreed to pay 10% of the medical premiums for all HMO plans and that the County will pay 90% of the lowest cost HMO plan premium towards the PPO plan and the employee will pay the remainder of the PPO premium. The agreement increases the PPO/Indemnity Dental Plan benefit from the current \$1200 to \$1450 effective the first full pay period after adoption of the Memorandum of Understanding. Additionally, a bilingual pay provision will be implemented two pay periods following adoption of the MOU providing for either \$40 or \$45 per biweekly pay period dependent upon the number of languages other than English used in the course of employment. Lastly, the new Memorandum of Understanding clarifies what constitutes acceptable medical documentation for the purposes of sick leave approval and provides additional and clarifying language for Industrial sick leave reducing the paid benefit amount and duration and limiting medical appointments once an employee has returned to work.

The Salary Ordinance amendment authorizes increasing the \$2300 allocation to the Cafeteria Benefit Plan to \$2450 in Plan Year 2010 and from \$2450 to \$2900 in Plan Year 2011. Additionally, the amendment increases Paid Leave by three additional management paid leave days in calendar year 2010 only and by one additional management paid leave day in calendar year 2011 only with this added leave only being eligible for use after July 1 of the year it is granted.

The Sideletter of Agreement replaces the prior Vacation Sellback sideletter and increases sellback from 15 days to 20 days for Fiscal Years 2010-2011 and 2011-2012 only.

**Financing:**

Funds are available in the 2009-2010 budget appropriation to pay the costs of these actions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Mary Welch", written in a cursive style.

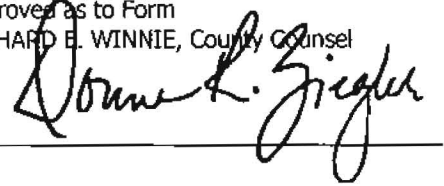
Mary Welch, Interim Director  
Human Resource Services

MW:bm  
Z:\Board Letters\06.29.10 IFPTE CEMU MOU SOA ACA Side

Cc: CAO  
Auditor-Controller  
County Counsel  
Agency/Department Heads

Approved as to Form  
RICHARD E. WINNIE, County Counsel

By



Ordinance No.

AN ORDINANCE APPROVING THE  
JUNE 27, 2009 – JUNE 23, 2012 MEMORANDUM OF UNDERSTANDING WITH THE ALAMEDA  
INTERNATIONAL FEDERATION OF PROFESSIONAL AND TECHNICAL ENGINEERS LOCAL 21,  
CIVIL ENGINEERS MANAGEMENT UNIT (CEMU)

The Board of Supervisors of the County of Alameda ordains as follows:

SECTION I

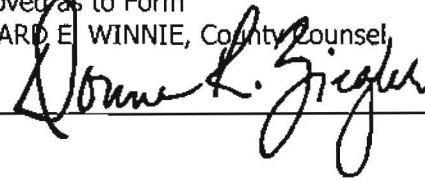
The provisions of sections 1 through 27, and Appendices A through C of the June 27, 2009 through June 23, 2012, Memorandum of Understanding, dated June 18, 2010, between Alameda County and the International Federation of Professional and Technical Engineers (IFPTE) Local 21, Civil Engineers Management Unit (CEMU), applicable to employees in Representation Unit R30, is hereby approved and incorporated herein by reference.

SECTION II

This ordinance shall take effect immediately, and before the expiration of fifteen days after its passage, shall be published once with the names of the members voting for and against the same in the Inter-City Express, a newspaper published in the said County of Alameda.

Approved as to Form  
RICHARD E. WINNIE, County Counsel

By



AN ORDINANCE AMENDING  
CERTAIN PROVISIONS OF THE 2009 - 2010  
ALAMEDA COUNTY SALARY ORDINANCE

The Board of Supervisors of the County of Alameda ordains as follows:

**SECTION I**

**Section 7-10, Cafeteria Benefit Plan: Amount of Allocable Money**, of Ordinance Number 0-2009-51 of the County of Alameda is hereby amended by the addition thereto of the following paragraphs.

Effective January 1, 2010 each IFPTE Local 21, Civil Engineers Management Unit represented full time employee in Representation Unit R30 is eligible for a cafeteria benefit plan in the amount of \$2,450 for the calendar year. This amount shall be prorated in advance for the calendar year for employees regularly scheduled to work less than the full-time based upon the hours which the employee has been regularly scheduled to work. An employee appointed to a position in a classification with a Job Code suffix EM, CA, PA, MA, SE, or M shall be entitled to a prorated amount based upon the number of pay periods to be worked full-time during the remainder of the calendar year, except that employees appointed during the two last full pay periods, and any following partial pay period prior to December 31 shall not be eligible for plan benefits until the following calendar year. The maximum sum available to a Civil Engineers Management Unit represented employee assigned to Representation Unit R30 who reinstates, shall not exceed \$2,450 minus the sum of cafeteria plan benefits received by the employee during the portion of the calendar year preceding termination.

Effective January 1, 2011 each IFPTE Local 21, Civil Engineers Management Unit represented full time employee in Representation Unit R30 is eligible for a cafeteria benefit plan in the amount of \$2,900 for the calendar year. This amount shall be prorated in advance for the calendar year for employees regularly scheduled to work less than the full-time based upon the hours which the employee has been regularly scheduled to work. An employee appointed to a position in a classification with a Job Code suffix EM, CA, PA, MA, SE, or M shall be entitled to a prorated amount based upon the number of pay periods to be worked full-time during the remainder of the calendar year, except that employees appointed during the two last full pay periods, and any following partial pay period prior to December 31 shall not be eligible for plan benefits until the following calendar year. The maximum sum available to a Civil Engineers Management Unit represented employee assigned to Representation Unit R30 who reinstates, shall not exceed \$2,900 minus the sum of cafeteria plan benefits received by the employee during the portion of the calendar year preceding termination.

**SECTION II**

**The first sentence of Subsections L and M of Section 7-5, Paid Leave**, of Ordinance Number 0-2009-51 of the County of Alameda is hereby amended by the addition thereto of the following.

Add "and Effective upon adoption of the June 27, 2009 – June 23, 2012 each employee represented by IFPTE, Local 21 Civil Engineers Management Unit, in Representation Unit R30" immediately following R61.

### **SECTION III**

**Section 7-4, Vacation Sellback**, of Ordinance Number 0-2009-51 of the County of Alameda is hereby amended by the addition thereto of the following paragraph.

Effective July 1, 2010, in Fiscal Years 2010-2011 and 2011-2012 an employee represented by IFPTE Local 21, Civil Engineers Management Unit in Representation Unit R30, may sell back an additional five days of vacation. Allowable vacation sellback shall return to fifteen days in Fiscal Year 2012-2013.

### **SECTION IV**

This ordinance shall take effect immediately, and before the expiration of fifteen days after its passage, shall be published once with the names of the members voting for and against the same in the Inter-City Express, a newspaper published in the said County of Alameda.

Tentative Agreement  
SIDELETTER OF AGREEMENT  
BETWEEN THE  
CIVIL ENGINEERS MANAGEMENT UNIT (CEMU)  
AND  
THE COUNTY OF ALAMEDA  
  
VACATION SELLBACK

This sideletter of agreement replaces the Vacation Sellback sideletter of agreement dated June 26, 2008.

The parties agree to increase the yearly maximum allowable vacation sellback from fifteen (15) days to twenty (20) days for fiscal years 2010-2011 and 2011-2012. The yearly maximum allowable vacation sellback for CEMU shall revert back to fifteen (15) days in fiscal year 2012-2013.

For the County:

*Glenn Bertheimer*  
*Cynthia Bacon*  
*[Signature]*

For IFPTE, Local 21, CEMU:

*[Signature]*  
*[Signature]*  
*Buller, ISFTE Local 21*  
*[Signature]*  
*[Signature]*  
*[Signature]*

DATE: June 18, 2010