

PORT OF SEATTLE
MEMORANDUM

COMMISSION AGENDA

Item No. 5c

Date of Meeting April 6, 2010

DATE: March 30, 2010

TO: Tay Yoshitani, Chief Executive Officer

FROM: Gary Schmitt, Director of Labor Relations
Craig Watson, General Counsel

SUBJECT: Authorization of Six Labor Memoranda of Understanding

ACTION REQUESTED:

Request Commission authorization for the Chief Executive Officer (CEO) to execute six Memoranda of Understanding (MOU) between the Port of Seattle and various labor unions authorizing changes in the collective bargaining agreements (CBA) covering these employees.

SYNOPSIS:

Commission authorization would allow the CEO to execute six MOUs that the Port negotiated some time ago with labor unions regarding minor changes to the CBAs. The mutually agreed changes involve 1) a modification in the normal daily schedule for certain Police Sergeants effective July 19, 2009; 2) special shift work for Marine Maintenance employees completed in October 2009 (2 MOUs); 3) shift changes to put up or take down seasonal decorations in November-December 2009 and 2010; 4) a modification in the daily schedule for Canine Officers; and 5) a "job share" agreement terminating on December 31, 2010. Proper authorization was not obtained under Resolution No. 3605 in advance of implementation but is being sought now to allow the CEO to sign the MOUs.

BACKGROUND:

Six Memoranda of Understanding were negotiated with labor union representatives but have never been executed by the CEO (or his delegate) because Resolution No. 3605 does not delegate the CEO the authority to alter the terms of CBAs without Commission approval unless this authority is specifically granted in the CBA. These six CBAs did not contain such a provision. The policy and procedures for obtaining future Commission authorizations, when necessary, have been clarified, and Commission authorizations will be obtained prior to the implementation of future MOUs except in cases of emergency.

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- The first MOU is between the Port and Teamsters Local No. 117 and modifies the normal work schedule for 15 Police Sergeant positions in the POSPD by providing for a 10.5 hour shift on four consecutive work days. It was effective July 19, 2009, and runs until December 31, 2011.
- The second MOU is between the Port and the Pacific Northwest Regional Council of Carpenters of the United Brotherhood of Carpenters and Joiners of America, Local No. 131, and covered a temporary special shift for Marine Maintenance workers in October 2009 to facilitate shift work on sewer lines beneath Chinook Restaurant which could not be performed during normal business hours under the Master Labor Agreement. The work has been completed.
- The third MOU is between the Port and Laborers Local Union No. 242 and also referred to work performed by Marine Maintenance on the sewer lines beneath Chinook Restaurant that needed to be completed in October outside of normal business hours but was not specific in terms of the time frame.
- The fourth MOU is between the Port and the Pacific Northwest Regional Council of Carpenters of the United Brotherhood of Carpenters and Joiners of America and covers a change in shift hours and rates for workers to set up and take down seasonal decorations between November 29, 2009, and December 2, 2009. The MOU will also apply to the December 2010 season.
- The fifth MOU is between the Port and Teamsters Local Union No. 117 and temporarily modifies the “normal schedule and days off” of the Canine Officers on a trial basis. The modification will be in effect through the last work period of 2010.
- The sixth MOU is between the Port and Teamsters Local Union No. 117 and temporarily allows two employees to “job share” until December 31, 2010, unless the Port and the union agree, in writing, to continue the job share.

DOCUMENTS ASSOCIATED WITH THIS REQUEST:

Exhibit A – MOU between the Port of Seattle and the Teamsters Local Union No. 117 modifying the normal duty schedule for Police Sergeants assigned to Administration and Investigation effective July 19, 2009, through December 31, 2011.

Exhibit B – MOU between the Port of Seattle and Pacific Northwest Regional Council of Carpenters of the United Brotherhood of Carpenters and Joiners of America, Local No. 131, establishing a Special Shift under Article 16, Section 1, Paragraph f, of the current Master Labor Agreement (regarding sewer line replacement beneath Chinook Restaurant).

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Exhibit C – MOU between the Port of Seattle and Laborers Local Union No. 242, establishing a Special Shift under Article 17, Section 1, Paragraph f, of the current Master Labor Agreement (regarding sewer line replacement beneath Chinook Restaurant).

Exhibit D – MOU between the Port of Seattle and Pacific Northwest Regional Council of Carpenters of the United Brotherhood of Carpenters and Joiners of America, Local 131, establishing hours of work to set up and take down seasonal decorations from November 29 through December 2, 2009, and again in 2010.

Exhibit E – MOU between the Port of Seattle and Teamsters Local Union No. 117 temporarily modifying the “normal schedule and days off” for Canine Officers.

Exhibit F – MOU between the Port of Seattle and Teamsters Local Union No. 117 allowing two employees to “job share” until December 31, 2010, unless the Port and Local No. 117 agree in writing to continue the agreement.