

PORT OF SEATTLE
MEMORANDUM

COMMISSION AGENDA

Item No. 5b

Date of Meeting January 25, 2011

DATE: January 19, 2011

TO: Tay Yoshitani, Chief Executive Officer

FROM: Lisa Hornfeck, Labor Relations Manager

SUBJECT: Memorandum of Understanding between the Port of Seattle and the United Local #32 of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada (Local #32).

REQUESTED ACTION:

Request authorization for the Chief Executive Officer to execute this new Memorandum of Understanding between the Port of Seattle and Local #32 to memorialize the Port of Seattle's exemption from specific sections of the outside agreement that confer priority working conditions and benefits to the Shop Steward.

BACKGROUND:

This memorandum covers five plumbers in the Port of Seattle Marine Maintenance Shop. The work group has opted to remain in temporary emergency hire status. This means they are paid at 100 % of the outside construction hourly wage rate and do not receive any Port paid time off, or paid holidays. Seniority employees receive 88% of the outside hourly wage rate, and the Port paid time off (PTO) benefits. Total compensation for Temporary Emergency Hires and Seniority employees are equivalent. Allowing the plumbers to receive total compensation through the hourly wage does not cost the Port more than if the employees received the compensation through wage and PTO benefits as Seniority employees.

The work group recently elected a shop steward, when in the past this small work group has functioned without a shop steward. Unionized groups are not required to elect a shop steward, and in the past their business agent functioned as their shop steward.

The Local #32 outside labor agreement, governing this workgroup, contains provisions that confer special status to the shop steward for overtime and protection from layoff. No other labor agreements governing Marine Maintenance work groups contain comparable benefits for shop stewards.

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In order to provide a fair and consistent workplace to all Port employees at the Marine Maintenance Shop, the Port and the Union have agreed to exempt the Port from provisions of Article IX – Shop and Job Steward Rules contained in the Local #32 Agreement. Terms of the Agreement requiring exemption includes the following sections of Article IX: The last sentence of Section 1 and all of Section 6, as outlined below.

Section 1. The last sentence only, which reads; “The Steward shall be included on all overtime work provided he is competent and capable of performing the work required.”

Section 6. ALL of Section 6. This section requires a higher standard for transferring or putting a steward on lay off, and sets up special protections for the steward in these situations. The language implies a Shop Steward shall be the *last* person on the crew to be laid off. This section is inconsistent with our fair and equitable treatment of *all* employees and Management’s right to direct the workforce.

OTHER DOCUMENTS ASSOCIATED WITH THIS REQUEST:

Memorandum of Understanding between United Association Local #32 of the Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry and the Port of Seattle.