



## Staff Summary Report

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**Council Meeting Date:** 03-20-08

**Agenda Item Number:** \_\_\_\_

**SUBJECT:** Request approval of a resolution amending the current Memorandum of Understanding between SEIU Local 5 and the City of Tempe.

**DOCUMENT NAME:** 20080320IAKJ01 **PUBLIC WORKS – MEET & CONFER (0303-08-03)**  
RESOLUTION NO. 2008.22

**SUPPORTING DOCS:** No

**COMMENTS:** Resolution 2008.22 amends the Memorandum of Understanding between SEIU Local 5 and the City of Tempe July 1, 2007 – June 30, 2009.

**PREPARED BY:** Ken Jones, Internal Audit Manager (350-8504)

**REVIEWED BY:** Charlie Meyer, City Manager (350-8884)

**LEGAL REVIEW BY:** Dave Park, Assistant City Attorney (350-8907)

**FISCAL NOTE:** There is no fiscal impact associated with the proposed amendments.

**RECOMMENDATION:** Approve Resolution 2008.22

**ADDITIONAL INFO:** The proposed amendments will add provisions to the MOU, which had been tentatively approved by the City Manager during the meet and confer process, but inadvertently left out of the final MOU proposal submitted by SEIU for City Council Approval in May 2007.

**RESOLUTION No. 2008.22**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA (“CITY”),  
APPROVING AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN  
SEIU LOCAL 5 AND THE CITY OF TEMPE, JULY 1, 2007 – JUNE 30, 2009.**

**WHEREAS**, the City and SEIU Local 5 Non-supervisory and Public Works Non-supervisory Employee Groups (“SEIU”) met and conferred and entered into a Memorandum of Understanding for the period of July 1, 2007 through June 30, 2009, which was approved by the City Council on May 31, 2007; and,

**WHEREAS**, both parties wish to amend the aforementioned Memorandum of Understanding in order to clarify agreed-upon provisions;

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA**, as follows:

That the Memorandum of Understanding between SEIU Local 5 and the City of Tempe July 1, 2007 – June 30, 2009 is hereby amended, as described in the following paragraphs:

In Section 1-4; paragraph 3, the phrase, *“for any disciplinary process”* shall be inserted after the phrase, *“The City agrees.”*

In Section 2-1; paragraph 1, the phrase, *“discussion of mutual concerns and problems”* shall be changed to *“discussion of mutual concerns and ideas.”*

In Section 2-1; paragraph 2, the following sentence shall be added to the end of the paragraph: *“The purpose of Departmental Labor-Management Committees is to facilitate positive labor-management relationships by providing a forum for the free discussion of mutual concerns and ideas, which may include discussion of department policies, procedures, practices and working conditions.”*

In Section 4-2; paragraph 2, the phrase, *“or one and one-half (1.5) times the hours in Compensatory Time”* shall be added after the phrase, *“shall receive one and one-half (1.5) times their regular rate of pay.”* Also, the following sentence shall be added to the end of the same paragraph: *“Election of holiday premium pay or holiday compensatory time shall be at the employee’s discretion.”*

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA**,  
this 20th day of March, 2008.

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Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

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City Attorney