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To: Lemoore City Council
From: JP Prichard, Administrative Analyst
Date: July 29, 2008
Subject: Impasse Hearing – General Association of Service Employees

ITEM # 9

STAFF REPORT

Background:

The Memorandum of Understanding between GASE and the City expired June 30, 2008 and on July 16, 2008 GASE declared impasse in the negotiations of a successor to that MOU. Seven negotiation sessions have been held in an attempt to reach agreement. Both the City and GASE have provided last, best, and final offers.

In an attempt to avoid declaration of impasse by either party, the City proposed pre-impasse mediation. However, GASE rejected the City's proposal and declared impasse. The purpose of Tuesday evening's hearing is for both parties, if they choose, to make presentation on the items and issues in dispute to the City Council. Council's action on items and issues in dispute shall be final and binding.

The City Personnel System Guidelines provide in section 22.16,

“When Impasse has been declared by either party, the items and issues in dispute shall be clearly identified in writing by both parties.

Both parties may make presentation on items and issues in dispute to the City Council.

The City Council's action on items and issues in dispute shall be final and binding.”

There were several areas of tentative agreement reached between the parties while engaging in negotiation. Term of the MOU, cost of living adjustments during each year of the MOU, equity adjustments to salaries found to be more than 3% below the median for surrounding jurisdictions, codification of out-of-class pay, adjustments to certification pay and training policies, and procedures and limitations on schedule changes are areas where the parties have reached tentative agreement.

As the party declaring impasse, GASE will present impasse issues followed by a presentation by the City's labor relations consultant, Bill Douglas. Following the presentations by both parties the Council may take public comment before considering alternatives.

Council has multiple options for resolving this impasse in negotiations:

1. Agree to modify the City's position on any or all of the impasse issues and direct City Administration to return to the bargaining table to resolve the details of an agreement;
2. Reject the union's positions and order the implementation of those changes in terms and conditions of employment that are contained in first year of City's Last, Best and Final Offer;
3. With GASE concurrence, agree to engage the services of the State Mediation and Conciliation Service in which an appointed mediator would attempt to settle the; or
4. Take no action and allow the City to continue to operate under the current terms and conditions of employment.

Budget Impact:

Taking no action, or instructing City Administration to return to the bargaining table, will have no immediate budget impact. Imposition of the first year of the City's offer would result in an increase of salaries and benefits of approximately \$140,000 this budget year. Accepting GASE's offer would result in an approximate budget increase of \$267,000 the first year, an incremental increase of \$134,000 in second year, and an incremental increase of \$123,000 the third year - totaling \$1,193,000 beyond the provisions of the expired MOU over three years.

Recommendation:

It is recommended that the Council take no action and allow the City to continue to operate under the current terms and conditions of employment. Further, it is recommended that Council extend the City's Last, Best, and Final offer for a period of 60 days in order to allow for potential acceptance by GASE membership.