



AGENDA REPORT

Meeting Date: October 5, 2010
Item Number: C-1
To: Honorable Mayor & City Council
From: Sandra Olivencia-Curtis, Assistant Director of Administrative Services-
HR
Subject: **IMPASSE HEARING REGARDING THE CITY'S FURLOUGH
PROPOSAL TO THE MUNICIPAL EMPLOYEES ASSOCIATION -
TECHNICAL (MEA)**
Attachments: 1) Impasse Procedures

RECOMMENDATION

Staff recommends the City Council, take such action regarding the impasse as it deems appropriate in the public interest.

INTRODUCTION

The economic downturn has had a negative impact on the City's revenue sources and the City's budget in general. As a result, the adopted FY 2010/11 budget included reductions of approximately \$9 million to account for the General Fund revenue shortfall. The expenditure reductions consisted of a number of measures including an early retirement incentive program, potential outsourcing of functions, elimination of positions, and furloughs for non-safety staff.

The City met and conferred with all non-sworn bargaining groups and has reached agreement with all but two bargaining groups. The Municipal Employees Association, (MEA), is one of the two employee groups with which the City has not been able to reach an agreement despite several meetings over the last four months.

DISCUSSION

Article IV, of the City's 1983 Employer-Employee Relations Resolution provides for impasse. Section 1 provides for an impasse meeting with the Employee Relations Officer (the City Manager) or his/her designee and Section 2 provides for a public hearing in front of the City Council. Similar to the offer provided to the other associations, MEA members were asked for five (5) furlough days in this calendar year, and up to five (5) additional days should the economy worsen and the general fund revenues for this fiscal year fall short of projections.

Consistent with the Resolution, after the City was unsuccessful in reaching an agreement with the MEA, the City declared impasse. This was followed by an impasse meeting with Assistant City Manager, Mahdi Aluzri (as the Employee Relations Officer) in July. The meeting did not cause the parties to re-consider their positions or reach an agreement. After hearing from both sides and having not resolved the impasse, Assistant City Manager, Mahdi Aluzri responded in writing that the matter had not been resolved through Article IV, Section 1. MEA was then offered the opportunity to use the process in Article IV, Section 2,(a public hearing with the City Council), and requested to do so.

FISCAL IMPACT

The budget for FY 2010-11 assumes saving from the planned furloughs. If the MEA members are not furloughed, it could result in a budget deficit of up to \$189,000.



Finance Approval



Approved By

Attachment 1

resolution after consultation with affected employee organizations.

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ARTICLE IV. IMPASSE PROCEDURES

Section 1. Initiation of Impasse Procedures.

If the meet and confer process has reached impasse as defined in this resolution, either party may initiate the impasse procedures by filing with the other party a written request for an impasse meeting, together with a statement of its position on all disputed issues. An impasse meeting shall then be scheduled promptly by the Employee Relations Officer. The purpose of such meeting shall be:

- a. To identify and specify in writing the issue or issues that remain in dispute.
- b. To review the position of the parties in a final effort to resolve such disputed issue or issues; and
- c. If the dispute is not resolved to discuss arrangements for the utilization of the impasse procedures provided therein.

Section 2. Impasse Procedures.

If the dispute is not resolved following the meeting provided by Article IV, Section 1, the impasse shall be submitted to the City Council which, after holding a public hearing, shall take such action regarding the impasse as it, in its discretion, deems appropriate in the public interest. Any legislative action by the City Council on the impasse shall be final and binding.