## REVISED STAFF REPORT

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| **Agenda Item:** | 7 | **Name:** | Nick Wagner |
| **Proposed No.:** | 2015-0377 | **Date:** | Nov. 3, 2015 |

***Proposed Substitute Ordinance 2015-0377.2 was reported out of committee with a Do Pass Consent recommendation after the original proposed ordinance was amended by Amendment 1.***

**SUBJECT**

Approval of a collective bargaining agreement with the Service Employees International Union, Local 925, covering employees in the Department of Natural Resources and Parks (DNRP).

**SUMMARY**

Proposed Ordinance 2015-0377 (Att. 1) would approve a collective bargaining (CBA) (Att. 1-A) with the Service Employees International Union, Local 925, covering about 175 employees in the Parks and Recreation Division (Parks) of DNRP. They maintain and operate Parks facilities, working with volunteers, community groups, and nonprofit organizations. Their classifications are listed in CBA Addendum A (Att. 1-A, p. 52).

The new CBA covers the six-year period from January 1, 2014, through December 31, 2019. This term matches the term of the Parks Operating Levy, which supports the work of these employees.

**BACKGROUND**

This bargaining unit’s previous CBA expired at the end of 2013, but its terms continued in effect pursuant to RCW 41.56.123(1),[[1]](#footnote-1) except to the extent that they were modified by an MOA between the County and the King County Coalition of Unions that the Council approved on November 10, 2014, by Ordinance 17916. The Coalition MOA provided for cost-of-living adjustments (COLAs) of 2.0 percent for 2015 and 2.25 percent for 2016 and a $500-per-employee lump sum payment for 2014.

**ANALYSIS**

The most notable changes in the new CBA are:

1. **COLAs**

Section 9.3 of the new CBA (Att. 1-A, p. 22) includes the changes made by the 2014 Coalition MOA that the Council approved in November 2014, as described above (2.00% COLA for 2015; 2.25% for 2016).

1. **Hiring Preference**

CBA Section 2.5 (Att. 1-A, p. 4) includes a new provision that seasonal employees who have worked 1,500 hours and demonstrated continuous satisfactory performance will receive “additional consideration when applying for a full time Parks Specialist II position,” including “an extra 5% of points” over the points awarded to the applicant by “subject matter experts as part of the application review.”

1. **Premium Pay**
2. **Pesticide Application**

New Section 9.18 of the CBA (Att. 1-A, p. 25) provides premium pay of $1.00 per hour for employees with approved pesticide certification who are directed by the Section Manager or designee to mix or apply pesticides that require the employee to wear Personal Protection Equipment. The premium pay is limited to the time spent performing those tasks. The estimated annual cost is $6,000.

1. **Playground Specialist**

New Section 9.19(Att. 1-A, p. 25) provides: “Employees assigned to playground inspections who maintain the appropriate approved certification/licenses will be paid [in a higher classification] in accordance with King County Personnel Guidelines” (the guideline governing Special Duty Pay). This applies only “for the hours actually worked conducting playground inspections.” The estimated annual cost is $450.

1. **Protective Clothing**

Section 12.5 (Att. 1-A, p. 32) provides for reimbursement of up to $125 per calendar year to purchase safety footwear for those employees who are required to wear it. The estimated annual cost is $12,125.

1. **Supported Employment**

New section 14.13 (Att. 1-A, p. 39) provides that employees in the Supported Employment Program cannot bump or be bumped under the regular reduction-in-force provisions of the CBA. Instead, issues concerning any layoffs in the Supported Employment Program are to be resolved in the Labor Management Committee.

1. **Addition of Classifications**

Addendum A to the new CBA (Att. 1-A, p. 52) reflects the addition of five new classifications to the bargaining unit:

* Custodian – Floor Care
* Custodian Lead
* Park Aide
* Parks District Maintenance Coordinator
* Parks Specialist Lead

**FISCAL IMPACT**

The fiscal impact of the proposed new CBA, which consists almost entirely of the Coalition COLAs that the Council approved in November 2014, is summarized in the table below, which is based on the Fiscal Note (Att. 5):

|  |  |  |
| --- | --- | --- |
|  | **2015** | **2016** |
| **Increase over previous year** | $ 180,639 | $ 207,283 |
| **Cumulative increase** |  | $ 387,922 |

About $20,000 of the increased annual cost arises from the new premium pays described above.

**AMENDMENT**

Amendment 1 (Att. 2) would replace pages 41 and 52 of Attachment 1-A (the CBA) with revised versions to correct technical errors in the originals.

1. RCW 41.56.123(1) provides: “After the termination date of a collective bargaining agreement, all of the terms and conditions specified in the collective bargaining agreement shall remain in effect until the effective date of a subsequent agreement, not to exceed one year from the termination date stated in the agreement. Thereafter, the employer may unilaterally implement according to law.” [↑](#footnote-ref-1)