



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Alex Gurza

SUBJECT: SEE BELOW

DATE: July 23, 2009

Approved

Date

7/28/09

SUBJECT: AGREEMENT WITH THE ASSOCIATION OF MAINTENANCE SUPERVISORY PERSONNEL

COUNCIL DISTRICT: N/A
SNI AREA: N/A

RECOMMENDATION

Adoption of a resolution approving the terms of an agreement with the Association of Maintenance Supervisory Personnel and authorizing the City Manager to execute the agreement with a term of June 28, 2009 to June 30, 2010.

OUTCOME

Adoption of the resolution would implement a collective bargaining unit agreement between the City and the Association of Maintenance Supervisory Personnel (AMSP).

BACKGROUND

The City of San Jose has a labor agreement with AMSP, which is memorialized in a Benefit & Compensation Summary. The agreement applies to approximately 86 full-time positions in Fiscal Year 2008-2009. Employees in this unit include management employees, such as Airport Operations Supervisors and Maintenance Supervisors.

The prior agreement expired on June 27, 2009. The terms of the successor agreement was approved by AMSP membership on July 17, 2009.

ANALYSIS

The following is a summary of the Tentative Agreement between the City of San Jose and AMSP, which is attached hereto:

Term	June 28, 2009 to June 30, 2010
Wages	Maintain current salaries in effect as of June 27, 2009. This term essentially "freezes" wages for employees represented by the Association of Maintenance Supervisory Personnel.

Retiree Healthcare

The agreement between the City and AMSP, regarding retiree healthcare dated March 4, 2009, shall be modified so that the reopening to commence meeting and conferring on retiree healthcare benefits for future employees and a medical reimbursement program for future retirees shall be delayed from January 2010 to January 2011.

All other provisions of this agreement shall remain in effect and unchanged and will be incorporated into the 2009-2010 Benefit & Compensation Summary.

EVALUATION AND FOLLOW-UP

None.

PUBLIC OUTREACH/INTEREST

- Criteria 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criteria 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criteria 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

This item meets Criterion 2. This memorandum will be posted on the City's website for the August 11, 2009, Council Agenda.

COORDINATION

This memorandum was coordinated with the City Attorney's Office.

COST IMPLICATIONS

There is no ongoing increased cost to these terms. These terms essentially "freeze" wages for employees represented by the Association of Maintenance Supervisory Personnel.



Alex Gurza
Director of Employee Relations

For questions please contact Alex Gurza, Director of Employee Relations, at (408) 535-8150.

Attachments

**CITY OF SAN JOSE
AND
ASSOCIATION OF MAINTENANCE SUPERVISORY PERSONNEL
(AMSP)
2009 TENTATIVE AGREEMENT**

1. TERM AND GENERAL WAGE INCREASES

Term: June 28, 2009 – June 30, 2010

Wages: Maintain current salaries in effect as of June 27, 2009

2. RETIREE HEALTHCARE AGREEMENT

The agreement between the City and the AMSP regarding retiree healthcare dated March 4, 2009, shall be modified as follows:

The parties agree to commence meeting and conferring between January 1, ~~2010~~2011, and January 19, ~~2010~~2011, on retiree healthcare benefits for future employees and a medical reimbursement program for future retirees.

The parties intend to engage in the foregoing negotiations in a coalition bargaining process with all other interested represented bargaining units, if any. However, negotiations between the City and Employee Organization shall commence no later than January 19, ~~2010~~2011 with or without participation of any other bargaining unit. The City and Employee Organization shall negotiate in good faith in an effort to reach a mutual agreement.

If no agreement is reached, the parties will follow the impasse procedures set forth in the City of San Jose's Employer-Employee Relations Resolution (#39367) and the Meyers-Milias-Brown Act. The parties understand that this means that the City will have the right to unilaterally implement in the event that no agreement is reached at the conclusion of negotiations and mandatory impasse procedures. The City agrees that a unilateral implementation of retiree healthcare benefits for future employees shall not be effective before July 1, ~~2010~~2011.

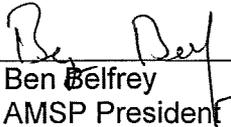
All other provisions of the Agreement dated March 4, 2009 will remain in effect and unchanged. Upon ratification of the AMSP membership and approval of this Agreement by the City Council, the parties agree to incorporate the revised retiree healthcare agreement into the 2009-2010 AMSP agreement.

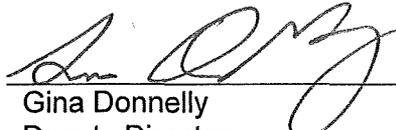
This agreement is still considered tentative and shall not be considered final or binding until approved by the City Council. This document sets forth the full agreements of the parties reached during these negotiations. Anything not included in this document is not part of this tentative agreement.

**CITY OF SAN JOSE
AND
ASSOCIATION OF MAINTENANCE SUPERVISORY PERSONNEL
(AMSP)
2009 TENTATIVE AGREEMENT**

FOR AMSP

FOR THE CITY OF SAN JOSE

 7-22-09
Ben Belfrey Date
AMSP President

 07-27-09
Gina Donnelly Date
Deputy Director
Employee Relations

 7-22-09
Phyllis Schulz Date
AMSP Vice-President

 7/27/09
Jennifer Schembri Date
Senior Executive Analyst
Employee Relations