



# City of Emeryville

CALIFORNIA

## MEMORANDUM

**DATE:** May 3, 2022  
**TO:** Chair and Board of Directors  
**FROM:** Trish Raver, Human Resources Director  
**SUBJECT:** Labor Memorandum Of Understanding Extensions:

**Resolution Of The Board Of Directors Of The Management Of Emeryville Services Authority Approving A Side Letter Of Agreement Between The MESA And The Emeryville Association Of Confidential, Administrative, Managerial And Professional (CAMP) Employees Regarding A Memorandum Of Understanding (MOU) Extension**

**Resolution Of The Board Of Directors Of The Management Of Emeryville Services Authority Approving A Side Letter Of Agreement Between The MESA And Service Employees International Union, Local 1021 (SEIU) Regarding A Memorandum Of Understanding (MOU) Extension**

**Resolution Of The Board Of Directors Of The Management Of Emeryville Services Authority (MESA) Amending The Pay And Benefits Plan For Unrepresented Employees Effective May 3, 2022**

## RECOMMENDATION

Staff recommends that the Board of Directors adopt Resolutions approving Side Letters of Agreement between the MESA and SEIU and the MESA and CAMP resulting in the MOUs being extended by one (1) year, inclusive of three percent (3%) pay adjustments and \$1,250 lump sum payments with all other MOU terms and conditions remaining in place during the extension and adopt a Resolution amending the Unrepresented Employees Pay and Benefits Plan to conform with the represented units.

## BACKGROUND

### **Services Employees International Union, Local 1021 (SEIU)**

On October 15, 2019, the Board of Directors of the MESA adopted a resolution approving and authorizing the City Manager to enter into an MOU between the MESA and SEIU with a term effective July 1, 2019, through June 30, 2021.

On May 4, 2021, the City Council adopted a resolution approving a Side Letter of Agreement with SEIU to extend the terms of the MOU from July 1, 2021, through June 30, 2022.

On February 25, 2022, the City/MESA and SEIU met in response to a meeting request from SEIU. In the meeting, SEIU representatives indicated that they would be interested in extending the term of the current MOU with the City/MESA for one (1) year with some form of pay adjustment while leaving all other terms and conditions in place.

On March 15, 2022, and April 5, 2022, the City/MESA received authority and met with SEIU to propose a three percent (3%) pay adjustment and a \$1,250 non-pensionable lump sum payment to each bargaining unit employee for the one (1) year MOU extension leaving all other MOU terms and conditions in place. These terms passed a ratification vote by SEIU.

On April 6, 2022, SEIU and the City/MESA entered into a Total Tentative Agreement (TTA) subject to City Council and MESA Board approval which includes a one-year MOU extension to June 30, 2023, a three percent (3%) pay adjustment effective July 1, 2022, a \$1,250 non-pensionable lump sum payment to be made to all employees on December 5, 2022, and the definition of family that pertains to family sick leave and funeral leave to have its sunset date extended to June 30, 2023.

#### **Confidential, Administrative, Managerial and Professional (CAMP)**

On July 9, 2019, the City Council adopted a resolution approving and authorizing the City Manager to enter into an MOU between the MESA and CAMP with a term effective July 1, 2019, through June 30, 2022.

On March 15, 2022, and April 5, 2022, the City/MESA received authority and met with CAMP to propose a three percent (3%) pay adjustment and a \$1,250 non-pensionable lump sum payment to each bargaining unit employee for a one (1) year MOU extension leaving all other MOU terms and conditions in place. These terms passed a ratification vote by CAMP.

On April 6, 2022, CAMP and the City/MESA entered into a Total Tentative Agreement (TTA) subject to City Council and MESA Board approval which includes a one-year MOU extension to June 30, 2023, a three percent (3%) pay adjustment effective July 1, 2022, and a \$1,250 non-pensionable lump sum payment to be made to all employees on December 5, 2022.

#### **Unrepresented Employees Pay and Benefits Plan**

On July 5, 2016, a resolution was approved to amend the established comprehensive Pay and Benefits Plan for Unrepresented Employees to ensure the efficient administration of the plan while enhancing the agency's ability to effectively communicate the competitive pay and benefit package provided to employees.

The Pay and Benefits Plan for Unrepresented Employees has been amended to conform with the pay adjustments provided to the MESA's other bargaining unit groups. Additionally, the Plan has been updated to include use of gender-neutral pronouns,

PEMHCA medical insurance rates increases, a CALPERS employee contribution rate increase and modified language relative to the administration of the Flexible Spending Plan due to a provider change.

## **DISCUSSION**

The attached MESA and SEIU Side Letter of Agreement contains the following terms:

- Term of contract to be extended by one (1) year, expiring June 30, 2023.
- The base rates shown in Appendix A shall increase by three percent (3%) effective on July 1, 2022.
- a \$1,250 non-pensionable lump sum payment to be made to all employees on December 5, 2022.
- Certain language in Sub-Section 4.4 Family Sick Leave will have its sunset date extended to June 30, 2023.
- Certain language in Sub-Section 4.8 Funeral Leave will have its sunset date extended to June 30, 2023.

The attached MESA and CAMP Side Letter of Agreement contains the following terms:

- Term of contract to be extended by one (1) year, expiring June 30, 2023.
- The base rates shown in Appendix A shall increase by three percent (3%) effective on July 1, 2022.
- a \$1,250 non-pensionable lump sum payment to be made to all employees on December 5, 2022.

Additionally, both SEIU and CAMP employees will have current Teleworking Agreements extended until June 30, 2023, by administrative action, and all new Agreements that are approved will be authorized to continue through June 30, 2023.

The attached Amended Unrepresented Employees Pay and Benefits Pay contains the following terms:

1. Pay adjustments in alignment with other bargaining unit groups dating back to 2019 inclusive of three percent (3%) pay adjustments on July 1<sup>st</sup> of 2019 and 2020, a two percent (2%) pay adjustment on July 1, 2021, and a three percent (3%) pay adjustment on July 1, 2022.
2. Use of gender-neutral pronouns.

3. Updated Public Employees' Medical & Hospital Care Act (PEMHCA) medical insurance rates in accordance with Government Code Section 22892.
4. Updated Flexible Benefits Plan employer premium expenses inclusive of medical, dental and vision.
5. Updated language relative to the administration of the Flexible Spending Plan due to a provider change from NAVIA to American Fidelity in 2020.
6. Updated CALPERS employee contribution rates for the PEPRA plan from six and one-half percent (6.5%) to seven and a quarter percent (7.25%).
7. Other miscellaneous non-substantive changes.

### **FISCAL IMPACT**

The fiscal impact is \$496,545 which is incorporated in the FY 22-23 budget.

### **STAFF COMMUNICATION WITH THE PUBLIC**

None

### **CONFLICT OF INTEREST**

None

### **CONCLUSION**

Staff recommends that the Board of Directors adopt Resolutions approving Side Letters of Agreement between the MESA and SEIU and the MESA and CAMP resulting in the MOUs being extended by one (1) year, inclusive of a three percent (3%) pay adjustment and a \$1,250 lump sum payment with all other MOU terms and conditions remaining in place during the extension and adopt a Resolution amending the Unrepresented Employees Pay and Benefits Plan to conform with the represented units.

**PREPARED BY:** Trish Raver, Director of Human Resources

**APPROVED AND FORWARDED TO THE  
BOARD OF DIRECTORS OF THE MANAGEMENT OF EMERYVILLE SERVICES  
AUTHORITY:**



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Christine Daniel, Executive Director

**ATTACHMENT**

1. Resolution of the Board of Directors Approving the Side Letter of Agreement Between the MESA and CAMP Regarding a MOU Extension
  - a. Side Letter of Agreement – CAMP MOU Extension
2. Resolution of the Board of Directors Approving the Side Letter of Agreement Between the MESA and SEIU Regarding a MOU Extension
  - a. Side Letter of Agreement – SEIU MOU Extension
3. Resolution of the Board of Directors Approving an Amended Unrepresented Employees Pay and Benefits Plan
  - a. Amended Unrepresented Employees Pay and Benefits Plan – Redline
  - b. Amended Unrepresented Employee and Benefits Plan