

Washington Metropolitan Area Transit Authority
Board Action/Information Summary

Action Information

MEAD Number:
200419

Resolution:
 Yes No

TITLE:

Local 2 Memorandum of Understanding

PRESENTATION SUMMARY:

To request the WMATA Board of Directors approve the negotiated Memorandum of Understanding with Local 2, Office of Professional Employees International Union, AFL-CIO

PURPOSE:

To request approval of the negotiated Memorandum of Understanding with Local 2, Office And Professional Employees International Union, AFL-CIO covering wages, hours and work rules for the bargaining unit comprised of Professional, Technical, Administrative and Clerical personnel of Metro. The attached fact sheet summarizes the negotiated Memorandum of Understanding which was ratified by vote of the Local 2 membership on September 26, 2013.

DESCRIPTION:

On September 20, 2013, the parties reached agreement on the 2012-2016 Collective Bargaining Agreement. The agreement fixes the basic economic terms for FY2013-FY2016 as well as work rule modifications for the same time period. The parties agreed that Local 2 will receive a 2% general wage increase effective July 1, 2012, a 2% general wage increase effective July 1, 2013, a 2% general wage increase effective July 1, 2014, and a 2% general wage increase effective July 1, 2015. Local 2 membership ratified the tentative agreement on September 26, 2013. The agreement resolves the litigation surrounding Metro's appeal of the Moffett Interest Arbitration Award.

The execution of this Memorandum of Understanding and forgoing interest arbitration covering wages, hours and work rules allows us to work towards the goal of using every resource wisely.

Key Highlights:

This agreement resolves the litigation surrounding Metro's appeal of the

Moffett Interest Arbitration Award.

Background and History:

The Washington Metropolitan Area Transit Authority (the "Authority") and Local 2 (the "Union"), hereby agree to amend and extend the existing collective bargaining agreement (the "CBA") between the parties that became amendable on July 1, 2012 as set forth herein. This agreement is contingent upon ratification by the Union membership and the Authority's Board of Directors. References to sections and subsections are to those contained in the CBA. All amendments are to be effective on the date of ratification by both parties, unless otherwise indicated. All sections and subsections not affected by these amendments are to continue in effect without change.

Discussion:

Not applicable to this action.

FUNDING IMPACT:

Budget:	Operating Budget, Fiscal FY2013-FY2016
Project/Account:	20200010
Project Manager:	N/A
Project Department/Office:	Nondepartmental
This Action:	24,200,000
Remarks:	Metro's increased contract cost for four years of the agreement for which economic terms have been established is 24,200,000.

TIMELINE:

No prior approvals.

RECOMMENDATION:

Approval of the attached resolution which approves the Memorandum of

Understanding including the economic terms for FY2013-FY2016, for the 2012-2016 Collective Bargaining Agreement between Metro and Local 2, OPEIU and authorizes the General Manager to execute a new Collective Bargaining Agreement accomplishing this action.

PRESENTED AND ADOPTED: October 24, 2013

SUBJECT: LABOR CONTRACT SETTLEMENT, LOCAL 2, OFFICE AND PROFESSIONAL EMPLOYEES INTERNATIONAL UNION, AFL-CIO

2013-28

RESOLUTION
OF THE
BOARD OF DIRECTORS
OF THE
WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

WHEREAS, A majority of the Professional, Technical, Administrative and Clerical Personnel of the Washington Metropolitan Area Transit Authority (WMATA) are represented for purposes of collective bargaining by Local 2, Office and Professional Employees International Union, AFL-CIO; and

WHEREAS, The 2004-2008 Labor Agreement covering the wages, hours and working conditions of these employees expired June 30, 2012; and

WHEREAS, WMATA and Local 2 returned to the bargaining table to negotiate the terms of the 2012-2016 Collective Bargaining Agreement; and

WHEREAS, A Memorandum of Understanding (MOU) between the parties was executed on September 20, 2013; and

WHEREAS, The significant provisions of the MOU are described in the attached Fact Sheet; and

WHEREAS, The estimated impact to WMATA's Fiscal Year (FY) 2014 budget is \$5.7 million; and

WHEREAS, A majority of the voting union membership ratified the MOU on September 26, 2013; now, therefore be it

RESOLVED, That the MOU reached between WMATA and Local 2, Office and Professional Employees International Union, AFL-CIO covering the wages, hours, and working conditions of these employees is approved by the Board of Directors; and be it further

RESOLVED, That following the Board of Directors acceptance of the FY2013 audited financial statements, the General Manager/Chief Executive Officer (GM/CEO) will present to the Board a recommendation to amend the FY2014 budget incorporating the impacts of the FY2013 and FY2014 general wage increases and associated benefits

Motioned by Ms. Bowser, seconded by Mr. Acosta

Ayes: 8 – Mr. Downs, Mr. Downey, Mr. Nichols, Mrs. Hudgins, Mr. Dyke, Ms. Bowser, Mr. Acosta and Mr. Goldman

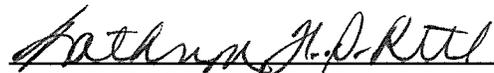
expenses covering employees represented by Local 2, Office and Professional Employees International Union, AFL-CIO; and be it further

RESOLVED, That the FY2014 budget amendment to be proposed by the GM/CEO will utilize funding from the FY2013 budget surplus identified in the FY2013 audited financial statements as approved by the Board of Directors, which is projected to be sufficient to cover the FY2014 impacts of the Collective Bargaining Agreement; and be it further

RESOLVED, That the GM/CEO is authorized to execute a new Collective Bargaining Agreement completing the terms of the 2012-2016 Labor Agreement until replaced by a successor agreement; and be finally

RESOLVED, That this Resolution shall be effective immediately,

Reviewed as to form and legal sufficiency,



Kathryn H.S. Pett
General Counsel

WMATA File Structure Nos.:
14.2 Collective Bargaining Agreements

**FACT SHEET
TENTATIVE AGREEMENT BETWEEN
WMATA and LOCAL 2,
OFFICE AND PROFESSIONAL EMPLOYEES INTERNATIONAL UNION, AFL-CIO**

PARTIES IN AGREEMENT: Washington Metropolitan Area Transit Authority and Local 2, Office and Professional Employees International Union, AFL-CIO

CONTRACT PERIOD: July 1, 2012 through June 30, 2016

CONTRACT FEATURES:

<u>Wages Across the Board</u>	<u>Wage Increase</u>	<u>Effective Date</u>
	2.0%	July 1, 2012
	2.0%	July 1, 2013
	2.0%	July 1, 2014
	2.0%	July 1, 2015

Moffett Interest Arbitration Award

The agreement resolves the appeal of the Interest Arbitration Award by accepting the terms of the award with the following modifications:

Subcontracting

- a. Removing the second paragraph regarding recalling qualified laid-off employees who are qualified to do bargaining unit work.
- b. Removing the third paragraph regarding establishing a permanent joint Labor/Management Contracting Committee to review existing and proposed subcontracting practices at the Authority.
- c. Modifying paragraph #1 as follows:

Work which is normally and customarily performed by the bargaining unit shall not be subcontracted by the Authority to any outside source or agency which results in the layoff or reduction in salary or benefits of a bargaining unit member.

In the event the Authority subcontracts work that was previously performed by bargaining unit members, those employees who performed the work at the time of their layoff, and who remain on the recall list, shall be recalled to their prior or comparable position.

TA Bands

The addition of TA 25 and TA 26 per the Moffett award are accepted, excluding the placement of former non-representative employees and classifications into those bands per Judge Contreras' decision. The parties agree that there will be no consideration for reclassification into the TA 25 and TA 26 grades by incumbent Local 2 employees under Article XII (5) of the CBA before July 1, 2014.

Fatigue Management Study

Establish a Joint Committee to review the recommendations of the Fatigue Management Study and implications on hours of service, overtime and related issues. This Committee will replace the current committee on Hours of Work.

Performance Evaluations

The parties agree to continue to meet on the issue of the employee appraisal process, including transition to a common anniversary date, eliminating the impact late evaluations have on employee step increases, and related issues.

Contract Work Rules

Random Drug and Alcohol Testing

Local 2 Inspectors in the Elevator and Escalator Department (ELES) will be included in the WMATA random Drug and Alcohol pool.