File No. 120521 Committee Item No. 28
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight **Date** June 14, 2012

Board of Supervisors Meeting **Date** _____

Cmte	Board	
☐	☐	Motion
☐	☐	Resolution
☒	☐	Ordinance
☐	☐	Legislative Digest
☐	☐	Budget and Legislative Analyst Report
☐	☐	Legislative Analyst Report
☐	☐	Youth Commission Report
☐	☐	Introduction Form (for hearings)
☒	☐	Department/Agency Cover Letter and/or Report
☒	☐	MOU
☐	☐	Grant Information Form
☐	☐	Grant Budget
☐	☐	Subcontract Budget
☐	☐	Contract/Agreement
☐	☐	Form 126 – Ethics Commission
☐	☐	Award Letter
☐	☐	Application
☐	☐	Public Correspondence

OTHER **(Use back side if additional space is needed)**

☐	☐	
☐	☐	
☐	☐	
☐	☐	
☐	☐	
☐	☐	
☐	☐	
☐	☐	

Completed by: Alisa Miller **Date** June 8, 2012
Completed by: _____ **Date** _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document can be found in the file.

FILE NO. 120521 ORDINANCE NO.

[Memorandum of Understanding - Municipal Executives' Association]

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association, to be effective July 1, 2012, through June 30, 2014.

NOTE: Additions are *single-underline italics Times New Roman*; deletions are ~~*strike-through italics Times New Roman*~~. Board amendment additions are double-underlined; Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Board of Supervisors hereby adopts and implements the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association, to be effective July 1, 2012, through June 30, 2014.

The Memorandum of Understanding so implemented is on file in the office of the Board of Supervisors in Board File No. 120521.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: Elizabeth S. Salveson
ELIZABETH S. SALVESON
Chief Labor Attorney

MEA BARGAINING HIGHLIGHTS

Term – Two year term (July 1, 2012 to June 30, 2014)

Wages –

Fiscal Year 2012-2013: No wage increases

Fiscal Year 2013-2014:

- 1% on July 1, 2013
- 1% on January 4, 2014
- 1% on March 29, 2014

Structural Reform of MEA's Management Flex Spending Compensation Package – Beginning 7/1/12, the flexible spending compensation provided to employees will be based upon their enrollment status with HSS. Unenrolled employees, or employees enrolled in Employee Only coverage will freeze their flexible compensation at $726.04 per month (the Fall 2012 rate) until December 31, 2014. Thereafter, unenrolled employees or employees enrolled in Employee Only coverage will receive 65% of the Employee plus 2 or more dependent care index. The parties agreed to engage in meet and confer on further reform to the Flex Spending Compensation Plan beginning six months prior to the next bargaining season.

Floating Holidays – Employees will receive a one-time award of two additional floating holidays in Fiscal Year 2012-2013.

CalPERS Proposition C Contribution – Effective July 1, 2012, covered employees who are members of CalPERS agree to make pre-tax contributions similar to those being made by members of SFERS, as required under Charter sections A8.409-9 and A8.590-9.

Management Training Funds – The parties expanded employees' ability to use the funds for approved travel associated with training, and ended the practice of rolling over unused funds from year to year. DHR will develop and fund a Leadership Development Program including required training for all managers in important managerial skills such as strategic planning, fiscal management, communication, knowledge transfer, etc. The parties' goal is to offer the first elements of the program by January 1, 2013.

Additional Compensation –

- Government and Public Affairs Managers assigned to PORT – This premium has been eliminated.

- Local Agency Formation Commission – This premium will expire once the current incumbent who is entitled to the premium separates from the position.

Reform of the Management Compensation/Classification Plan adjustment process – The parties agreed to liquidate the remaining B & C adjustment one-time funds, which were previously deferred from wage increases. Going forward, there will be .5% of MEA compensation available for distribution through the B & C committee process each year, with no rollover of remaining funds. One half of the annual allocation will be available for one-time adjustments, and one half will be available for ongoing adjustments to recognize exemplary performance, special skills or assignments, or to address of internal equity or compaction. A proportionate pool of these funds will be separated out for Department Heads

Severance and Pay in Lieu of Notice – An employee receiving severance pay will no longer be eligible to take a Prop F appointment in the department from which he or she was released within two years of the release. The parties incorporated into the MOU their agreement to provide a released employee, who reinstates to a lower-paid position, notice pay in the amount of the difference between the higher and lower-paid positions. The City will provide MEA with a template severance release to attempt to expedite the severance process. A qualifying employee must elect severance within thirty days of notice of release.

Discipline Procedures – The parties created an expedited arbitration process for appeals of certain types of discipline, and agreed that permanent civil service employees will be able to appeal disciplinary suspensions of less than five days. Further, the employee may submit a response to disciplinary actions which will be kept in his or her personnel file.

Pay for Performance – The Pay for Performance program expires at the end of the 2006-2012 agreement. The payment, normally made in October, is only maintained for those employees who retire prior to July 1, 2012 and whose single highest year of compensation is 2011-2012 when the Pay for Performance lump sum is factored in.

Performance Appraisals – Employees may submit a response to his or her performance appraisal within 30 days, to be maintained in his or her personnel file.

Acting Assignment Pay – Acting Assignments may only last six months, with extension upon approval of DHR.

State Disability Insurance – All employees entering the MEA bargaining unit on or after 7/1/12 will be enrolled in SDI.

** Complete copy of document is located in

File No. 120521

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE CITY AND COUNTY OF SAN FRANCISCO

AND

THE MUNICIPAL EXECUTIVES ASSOCIATION

JULY 1, 2012 – JUNE 30, 2014

TABLE OF CONTENTS

ARTICLE I: REPRESENTATION 1

I.A. RECOGNITION 1
I.B. INTENT 1
I.C. NO STRIKE PROVISION 2
I.D. MEET AND CONFER RESPONSIBILITY DURING THE TERM OF THE AGREEMENT 2
I.E. MANAGEMENT RIGHTS 2
I.F. OFFICIAL REPRESENTATIVES 3
I.G. GRIEVANCE PROCEDURES 3
1. Definition 3
2. Time Limits 4
3. Steps of the Procedure 4
4. Selection of the Arbitrator 5
5. Authority of the Arbitrator 5
6. Fees and Expenses of Arbitrator 5
7. Hearing Dates and Date of Award 5
8. Monetary Relief 6
9. Failure to Respond 6
10. Immediate Dispute Resolution 6
11. Petitions to Compel Arbitration 6
I.H. DUES DEDUCTION 7
1. Authorization for Deductions 7
2. Dues Deductions 7

ARTICLE II: EMPLOYMENT CONDITIONS 8

II.A. NON-DISCRIMINATION 8
1. Americans with Disabilities Act 8
2. Family Medical Leave Act 8
II.B. PROBATIONARY PERIOD 8
II.C. DISCIPLINE 9
II.D. MINIMUM NOTICE FOR DISPLACEMENTS 10
II.E. UTILIZATION OF PROP F AND TEMPORARY EXEMPT EMPLOYEES 11
II.F. ADVANCE NOTICE TO MEA ON PERSONAL SERVICES CONTRACTS 11

ARTICLE III: PAY, HOURS AND BENEFITS 12

III.A. WAGES 12
III.B PERFORMANCE APPRAISALS 13
III.C. ACTING ASSIGNMENT PAY 13
III.D. SUPERVISORY DIFFERENTIAL ADJUSTMENT 14
III.E. IT SUPERVISORY ADJUSTMENT 15
III.F. ADJUSTMENTS 15
III.G. SPECIAL PREMIUM 16
III.H. SALARY PLAN AND SALARY ADJUSTMENTS 16
1. Employees in Management Classification/Compensation Plan Classifications 16
A MCCP Salary Plan 16
B. Placement in new and vacant positions. 18
C. Rules applicable to all employees in the MCCP. 19
2. Employees in Non-MCCP Classifications 19
A. Appointments 19
B. Step Increases 20
C. Compensation Upon Transfer or Reemployment 22
D. MCCP 22
III.I. METHODS OF CALCULATION 22