

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 07/11/05		Item Number: <u>A-9</u>	
AGENDA ITEM: Approval of a Side-Letter Contract Amendment Agreement between the City and the Culver City Firefighters Local 1927, AFL-CIO and Adoption of a Resolution to Amend the 2001-2004 Memorandum of Understanding			
Contact Person/Dept.: Serena Wright /Jack Hoffman		Phone Number: 310-253-5640	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☒ No ☐	
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Public Notification: Master Notification List, 7/6/05; Culver City Firefighters Local 1927, AFL-CIO 7/6/05			
Department Approval: Kermit Francis 6/30/05		CAO Approval: Deborah Fancett for Jerry Fulwood 7/5/05	
Interim City Controller Approval: Marlee Chang 7/5/05			
<u>RECOMMENDATION</u> That the City Council approve a side-letter contract amendment agreement between the City and the Culver City Firefighters Local 1927, AFL-CIO and adopt a resolution to amend the 2001-2004 Memorandum of Understanding ('MOU'). <u>BACKGROUND</u> The Culver City Firefighters Association 2001-2004 MOU provides a clause which states that employees with unused sick leave credit in excess of 384 hours for 40 hour week employees (576 hours for 56 hour week suppression employees) will be paid in each pay period for one half of the unused sick leave accrued in that period. Prior to 1991, these payments were considered to be compensation for PERS retirement calculations. In 1991, PERS informed the City that such reporting was unlawful. Although the City ceased reporting these payments as compensation, it continued to pay the excess sick leave to eligible employees as called for in the MOU. However, the MOU language regarding accumulated sick leave being included for PERS retirement calculation was never deleted from the firefighter MOU. In April 2004, a formal written grievance was filed by two firefighters claiming that their accumulated sick leave payoff, per the terms of the City's MOU with the			

City of Culver City, California
City Council Agenda Item Report

Firefighters Association, should be considered compensation for PERS retirement calculations.

The City and the firefighter representatives have been meeting for some time attempting to resolve the grievance.

DISCUSSION

A resolution to the grievance amending the current MOU has been approved by the Firefighters Association and now submitted to the City Council for final approval. The resolution is to amend the current language in the MOU to reflect that 1) the accumulated sick leave credit payments are not considered compensation for PERS retirement calculations; and 2) that eligible firefighter employees who have accumulated above 720 hours (40 hour employees) or 1080 (56 hour employees) may cash out the excess sick leave hours at the value of 100% versus the current cash out value of 75%.

FISCAL ANALYSIS

The estimated total annual increased cost to adopt this contract amendment is approximately \$6,800. Adequate funds are appropriated in the proposed 2005 – 2006 budget to cover this increase.

The City Controller has reviewed this Fiscal Analysis.

ATTACHMENTS

1. Resolution and Exhibit “A”

MOTION

That the City Council

Approve a side-letter contract amendment agreement between the City and the Culver City Firefighters Local 1927, AFL-CIO to amend the 2001-2004 Memorandum of Understanding.