

**CITY OF CULVER CITY
COUNCIL POLICY STATEMENT**

Policy Number **3205**

General Subject: City Council and Administration

Date Issued 8/8/94

Specific Subject: Administrative Resolution of
MOU Interpretation Problems

Effective Date 8/8/94

Resolution No. Min. Action

PURPOSE:

To establish the authority for resolving problems or special circumstances which are otherwise restricted or complicated by provisions of negotiated Memoranda of Understanding (MOUs).

STATEMENT OF POLICY:

Unusual or special circumstances in the application of Council-approved MOU provisions may cause a hardship for employees or the City. To the extent the intent of the MOU provisions are generally enforced as written, exceptions may be necessary in individual circumstances.

The City Council authorizes the Chief Administrative Officer (CAO) to grant limited "special circumstances" exceptions to the expressed provisions of the various MOUs based upon fairness to the employee, the best interests of the City, a case-by-case analysis of the facts and circumstances, and the understanding such exceptions do not create an ongoing obligation or past practice.

PROCEDURES:

Employees or departments who encounter a problem in the application of a particular MOU provision, as it relates to an individual employee in an individual set of circumstances, may request review by the CAO. The CAO will discuss the matter with the Personnel Director, City Attorney and other affected parties and determine if there is justification for an exception or a practical and reasonable alternative.

The CAO may or may not grant an exception. If not, the MOU provision will apply. The CAO's determination is final.

City Council will be notified by the CAO of any administrative decision under this policy. Problems or exceptions which arise will be subjects of future bargaining for modification to applicable MOU provisions.