

CLERK'S OFFICE

APPROVED

11-23-10

Date:

Submitted by: Chair of the Assembly at the
Request of the Mayor

Prepared by: Employee Relations

For Reading: November 9, 2010

ANCHORAGE, ALASKA

AR NO. 2010-329

**A RESOLUTION APPROVING A LETTER OF AGREEMENT BETWEEN THE
MUNICIPALITY OF ANCHORAGE AND THE INTERNATIONAL ASSOCIATION OF
FIRE FIGHTERS, LOCAL 1264, CLARIFYING TOUR TRADES.**

WHEREAS, a collective bargaining agreement (CBA) between the Municipality of Anchorage (MOA) and the International Association of Fire Fighters, Local 1264 (IAFF) was approved by the Assembly on December 17, 2008 (AR 2008-306); and

WHEREAS, the MOA and IAFF prepared a Letter of Agreement, IAFF-008 (LOA), attached hereto as **Exhibit A**, clarifying the qualifications for an employee working a tour trade; and

WHEREAS, the LOA replaces language in the CBA to clarify the employee working the tour trade must be qualified for the position in which the employee is working; and

WHEREAS, Anchorage Municipal Code section 3.70.130 requires the Assembly to approve an amendment, including this LOA, to a CBA, before it takes effect; and

WHEREAS, it is in the best interest of the MOA and IAFF to subject this LOA to the public review and approval process, in order to foster good labor-management relationships; and

WHEREAS, the Administration recommends approval of this LOA, as detailed in the accompanying Assembly Memorandum; now, therefore,

THE ANCHORAGE MUNICIPAL ASSEMBLY RESOLVES:

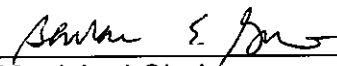
Section 1. The Letter of Agreement, attached hereto as **Exhibit A**, amending the CBA between the Municipality of Anchorage and the International Association of Fire Fighters, Local 1264, is hereby approved by the Assembly.

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2 **Section 2.** This resolution shall become effective immediately upon its passage
3 and approval by the Assembly.

4
5 PASSED AND APPROVED by the Anchorage Assembly this 23rd day of
6 November, 2010.

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10 
11 _____
12 Chair

13 ATTEST:

14
15 
16 _____
17 Municipal Clerk



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 594-2010

Meeting Date: November 9, 2010

1 **FROM: MAYOR**

2
3 **SUBJECT: A RESOLUTION APPROVING A LETTER OF**
4 **AGREEMENT BETWEEN THE MUNICIPALITY OF**
5 **ANCHORAGE AND THE INTERNATIONAL**
6 **ASSOCIATION OF FIRE FIGHTERS, LOCAL 1264,**
7 **CLARIFYING TOUR TRADES.**
8

9 The Municipality of Anchorage (MOA) and the International Association of Fire
10 Fighters, Local 1264 (IAFF) signed a Letter of Agreement (LOA) to clarify
11 collective bargaining agreement (CBA) language regarding tour trades.
12

13 The Letter of Agreement (IAFF-008), attached to the Assembly Resolution,
14 is an amendment to the IAFF CBA ratified by the Assembly on
15 December 17, 2008 (AR 2008-306).
16

17 IAFF-008 clarifies an employee working a tour trade must be qualified for
18 the tour trade position in which the employee is working.
19

20 This LOA amends the CBA to clarify language regarding tour trades;
21 however, there are no financial consequences. The amendment clarifies
22 the parties' intent and practice to avoid misunderstandings and confusion
23 in the future.
24

25 **THE ADMINISTRATION RECOMMENDS APPROVAL OF THE LETTER OF**
26 **AGREEMENT BETWEEN THE MUNICIPALITY OF ANCHORAGE AND THE**
27 **INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 1264,**
28 **CLARIFYING TOUR TRADES.**
29

30 Prepared by: Employee Relations Department
31 Approved by: Nancy B. Usera, Employee Relations Director
32 Concur: Dennis A. Wheeler, Municipal Attorney
33 Concur: George Vakalis, Municipal Manager
34 Respectfully submitted: Daniel A. Sullivan, Mayor

LETTER OF CLARIFICATION
by and between
MUNICIPALITY OF ANCHORAGE (MOA)
and the
INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 1264 (IAFF)
Subject: Tour Trades
Number: IAFF – 008

This agreement is between the Municipality of Anchorage (Municipality) and the International Association of Firefighter Local 1264 (IAFF). The Municipality and the IAFF are parties to a Collective Bargaining Agreement (CBA). Article 12 of the CBA governs the use of Tour Trades. The purpose of this agreement is to clarify with whom employees may trade tours.

The following language is to replace Article 12.5 in its entirety:

- 12.5 The employee working a tour trade must be qualified for the position in which the employee is working.

This clarification is not a substantive change; it is solely to clarify the current practice to avoid misunderstandings and/or confusion in the future.

Pursuant to AMC 3.70.130 D., each and every collective bargaining contract, agreement, modification, written interpretation, or other change, alteration or amendment, no matter how denominated, shall include a summary of requirements and remedial provisions, and the certification under oath or affirmation by each duly authorized representative signing on behalf of a party. The duly authorized representatives, on behalf of the parties to this agreement, hereby affirm and certify as follows:

- A. This agreement complies with Anchorage Municipal Code section 3.70.130.
- B. Section 3.70.130 requires Assembly approval of all modifications and amendments, no matter how denominated.
- C. Absent Assembly approval as required by section 3.70.130, any modification or amendment, no matter how denominated, shall be deemed null and void, and any payments made shall be recoverable by the Municipality.
- D. Absent Assembly approval as required by section 3.70.130, written clarifications and interpretations within the definition of "administrative letter" are invalid.
- E. Section 3.70.010 prohibits the use of administrative letters to vary the explicit terms of a labor agreement.

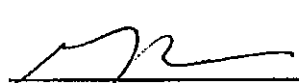
- F. Intentional actions in violation of section 3.70.130 are subject to fines and penalties under section 1.45.010.
- G. Remedial actions: In the event the provisions of section 3.70.130 are violated by administrative action, any labor agreement, agreement, modification, written interpretation, or other change, alteration or amendment, no matter how denominated, shall be null and void with no force or effect.

SIGNED FOR THE MUNICIPALITY:



Nancy B. Usera Date
Director, Employee Relations

SIGNED FOR THE IAFF:



Rod Harris Date
President, IAFF

AR 594-2010

Content ID: 009556**Type:** AR_AllOther - All Other Resolutions**Title:** A RESOLUTION APPROVING A LETTER OF AGREEMENT BETWEEN THE MUNICIPALITY OF ANCHORAGE AND THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 1264, CLARIFYING TOUR TRADES.**Author:** maglaquijp**Initiating
Dept:** ER**Date
Prepared:** 10/27/10 10:53 AM**Assembly
Meeting Date:** 11/9/10**Public
Hearing Date:** 11/23/10

Workflow Name	Action Date	Action	User	Security Group	Content ID
Clerk_Admin_SubWorkflow	10/28/10 11:27 AM	Exit	Joy Maglaqui	Public	009556
MuniManager_SubWorkflow	10/28/10 11:27 AM	Approve	Joy Maglaqui	Public	009556
CFO_SubWorkflow	10/27/10 5:11 PM	Approve	Lucinda Mahoney	Public	009556
Legal_SubWorkflow	10/27/10 4:19 PM	Approve	Rhonda Westover	Public	009556
ER_SubWorkflow	10/27/10 1:47 PM	Approve	Nancy Usera	Public	009556
AllOtherARWorkflow	10/27/10 10:54 AM	Checkin	Joy Maglaqui	Public	009556