

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

Prepared by: Employee Relations

For Reading: December 14, 2010

CLERK'S OFFICE

APPROVED

Date: 1-11-11

ANCHORAGE, ALASKA

AR NO. 2010-365

A RESOLUTION APPROVING A LETTER OF AGREEMENT BETWEEN THE MUNICIPALITY OF ANCHORAGE AND THE ANCHORAGE MUNICIPAL EMPLOYEE'S ASSOCIATION, MODIFYING ARTICLE 7.1.1, HOLIDAY FALLING ON A REGULARLY SCHEDULED DAY OFF.

WHEREAS, a collective bargaining agreement (CBA) between the Municipality of Anchorage (MOA) and the Anchorage Municipal Employee's Association (AMEA) was approved by the Assembly on December 2, 2008 (AR 2008-266); and

WHEREAS, the MOA and AMEA prepared a Letter of Agreement, AMEA-008 (LOA), attached hereto as **Exhibit A**, clarifying Article 7.1.1, Holiday Falling on a Regularly Scheduled Day Off, as it pertains to the Anchorage Public Libraries; 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 AMEA 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**, modifying the CBA between the Municipality of Anchorage and the Anchorage Municipal Employee's Association, is hereby approved by the Assembly.

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

PASSED AND APPROVED by the Anchorage Assembly this 14th day of January, 2011.


Chair

ATTEST:


Municipal Clerk



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 673-2010

Meeting Date: December 14, 2010

1 **FROM: MAYOR**

2
3 **SUBJECT: A RESOLUTION APPROVING A LETTER OF**
4 **AGREEMENT BETWEEN THE MUNICIPALITY OF**
5 **ANCHORAGE AND THE ANCHORAGE MUNICIPAL**
6 **EMPLOYEE'S ASSOCIATION, MODIFYING ARTICLE**
7 **7.1.1, HOLIDAY FALLING ON A REGULARLY**
8 **SCHEDULED DAY OFF.**
9

10 The Municipality of Anchorage (MOA) and the Anchorage Municipal
11 Employee's Association (AMEA) signed a Letter of Agreement (LOA) to clarify
12 Article 7.1.1, Holiday Falling on a Regularly Scheduled Day Off, as it
13 pertains to the Anchorage Public Libraries.
14

15 The Letter of Agreement (AMEA-008), attached to the Assembly
16 Resolution, is an amendment to the AMEA Collective Bargaining
17 Agreement (CBA) ratified by the Assembly on December 2, 2008 (AR
18 2008-266).
19

20 AMEA-008 provides the MOA flexibility in scheduling which will improve
21 public service by minimizing library closures.
22

23 This LOA modifies the CBA to clarify language regarding when holidays
24 will be recognized for employees scheduled to work other than Monday
25 through Friday at the Anchorage Public Branch and Main Libraries;
26 however, there are no financial consequences.
27

28 **THE ADMINISTRATION RECOMMENDS APPROVAL OF A RESOLUTION**
29 **APPROVING THE LETTER OF AGREEMENT BETWEEN THE**
30 **MUNICIPALITY OF ANCHORAGE AND THE ANCHORAGE MUNICIPAL**
31 **EMPLOYEE'S ASSOCIATION, MODIFYING ARTICLE 7.1.1, HOLIDAY**
32 **FALLING ON A REGULARLY SCHEDULED DAY OFF.**
33

34 Prepared by: Employee Relations Department
35 Approved by: Nancy B. Usera, Employee Relations Director
36 Concur: Dennis A. Wheeler, Municipal Attorney
37 Concur: George J. Vakalis, Municipal Manager
38 Respectfully submitted: Daniel A. Sullivan, Mayor

LETTER OF AGREEMENT
By and Between
MUNICIPALITY OF ANCHORAGE

and the
ANCHORAGE MUNICIPAL EMPLOYEES ASSOCIATION

Number: AMEA - 008

RE: Observed Holidays at the Anchorage Public Library

This agreement is between the Municipality of Anchorage (Municipality) and the Anchorage Municipal Employees Association (AMEA). The Municipality and AMEA are parties to a Collective Bargaining Agreement (CBA). The purpose of this letter is to modify the holiday observance section, Section 7.1.1.B for the Anchorage Public Library.

Article 7.1.1.B, Employees Scheduled to Work Other Than a Monday through Friday will be applied at the Anchorage Public Library as follows:

Branch Libraries:

If a recognized holiday falls on a Monday, employees assigned to a branch library of the Anchorage Public Library system shall recognize the holiday on the preceding Saturday.

Main (Loussac) Library:

If the recognized holiday falls on a Monday, employees assigned to the main (Loussac) library of the Anchorage Public Library system scheduled to work Tuesday through Saturday shall observe the holiday on the Tuesday following the recognized holiday. If the recognized holiday falls on a Friday, employees of the Anchorage Public Library system scheduled to work Sunday through Thursday shall observe the holiday on the Thursday preceding the recognized holiday.

This agreement is not a substantive change; it is executed in the mutual interests of public service and library employees.

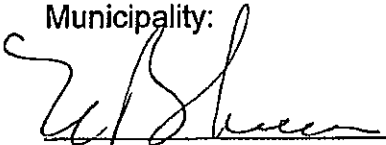
Pursuant to AMC 3.70.130 D., each and every collective bargaining contract, agreement, modification, written interpretation, or other change, alteration or amendment, no matter how denominated, shall include a summary of requirements and remedial provisions, and the certification under oath or affirmation 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.

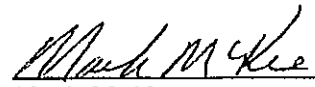
- C. Absent Assembly approval as required by section 3.70.130, any modification or amendment, no matter how denominated, shall be deemed null and void, and any payments made shall be recoverable by the Municipality.
- D. Absent Assembly approval as required by section 3.70.130, written clarifications 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.

AGREED TO AND SIGNED FOR BY:

Municipality:

 11/9/10
Nancy B. Usera Date
Director, Employee Relations

AMEA:

 11/10/10
Mark McKee Date
President, AMEA

Content ID: 009666**Type:** AR_AllOther - All Other Resolutions

Title: A RESOLUTION APPROVING A LETTER OF AGREEMENT BETWEEN THE MUNICIPALITY OF ANCHORAGE AND THE ANCHORAGE MUNICIPAL EMPLOYEE'S ASSOCIATION, MODIFYING ARTICLE 7.1.1, HOLIDAY FALLING ON A REGULARLY SCHEDULED DAY OFF.

Author: maglaquijp**Initiating Dept:** ER**Date Prepared:** 11/29/10 10:57 AM**Director Name:** Nancy B Usera, ER Director**Assembly Meeting Date:** 12/14/10**Public Hearing Date:** 1/11/11

<u>Workflow Name</u>	<u>Action Date</u>	<u>Action</u>	<u>User</u>	<u>Security Group</u>	<u>Content ID</u>
Clerk_Admin_SubWorkflow	12/3/10 11:01 AM	Exit	Joy Maglaqui	Public	009666
MuniManager_SubWorkflow	12/3/10 11:01 AM	Approve	Joy Maglaqui	Public	009666
MuniManager_SubWorkflow	12/3/10 11:01 AM	Checkin	Joy Maglaqui	Public	009666
CFO_SubWorkflow	12/2/10 1:04 PM	Approve	Lucinda Mahoney	Public	009666
Legal_SubWorkflow	12/1/10 4:25 PM	Approve	Rhonda Westover	Public	009666
ER_SubWorkflow	12/1/10 9:42 AM	Approve	Lisa Arnold	Public	009666
AllOtherARWorkflow	11/29/10 11:11 AM	Checkin	Julie Cayouette	Public	009666