

CLERK'S OFFICE

APPROVED

Date: 2-1-11

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

Prepared by: Employee Relations

For Reading: January 11, 2011

ANCHORAGE, ALASKA

AR NO. 2011-12

**A RESOLUTION APPROVING A LETTER OF AGREEMENT BETWEEN THE
MUNICIPALITY OF ANCHORAGE AND THE INTERNATIONAL BROTHERHOOD
OF ELECTRICAL WORKERS, LOCAL UNION 1547, SHOP STEWARDS.**

WHEREAS, a collective bargaining agreement (CBA) between the Municipality of Anchorage (MOA) and the International Brotherhood of Electrical Workers, Local 1547 (IBEW) was approved by the Assembly on December 2, 2008 (AR 2008-280); and

WHEREAS, the MOA and IBEW prepared a Letter of Agreement (LOA), IBEW-002, attached hereto as **Exhibit A**; and

WHEREAS, the LOA adds language in the CBA to allow shop stewards to utilize leave without pay for the purpose of attending union training; 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 IBEW to subject this LOA to the public review and approval process, in order to foster good labor-management relationships; and

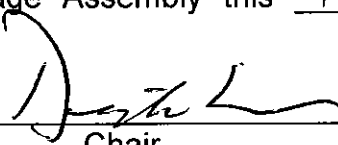
WHEREAS, the Administration recommends approval of this LOA, as detailed in the accompanying Assembly Memorandum; now, therefore,

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 Brotherhood of Electrical Workers, Local 1547, is hereby approved by the Assembly.

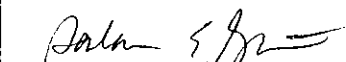
Section 2. This resolution shall become effective immediately upon its passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 1st day of February, 2011.



Chair

ATTEST:



Municipal Clerk



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 29-2011

Meeting Date: January 11, 2011

1 **FROM: MAYOR**

2
3 **SUBJECT: A RESOLUTION APPROVING A LETTER OF**
4 **AGREEMENT BETWEEN THE MUNICIPALITY OF**
5 **ANCHORAGE AND THE INTERNATIONAL**
6 **BROTHERHOOD OF ELECTRICAL WORKERS,**
7 **LOCAL UNION 1547, SHOP STEWARDS.**
8

9 The Municipality of Anchorage (MOA) and the International Brotherhood of
10 Electrical Workers, Local 1547 (IBEW) signed a Letter of Agreement to allow
11 shop stewards the ability to utilize leave without pay for the purpose of attending
12 union training.
13

14 The Letter of Agreement (IBEW-002), attached to the Assembly Resolution, is an
15 amendment to the IBEW Collective Bargaining Agreement (CBA) ratified by the
16 Assembly on December 2, 2008 (AR 2008-280).
17

18 This Letter of Agreement amends the CBA by adding language which allows the
19 MOA to grant Shop Stewards leave without pay to attend Union training. There
20 are no financial consequences to the MOA.
21

22 **THE ADMINISTRATION RECOMMENDS APPROVAL OF A RESOLUTION**
23 **APPROVING THE LETTER OF AGREEMENT BETWEEN THE**
24 **MUNICIPALITY OF ANCHORAGE AND THE INTERNATIONAL**
25 **BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL UNION 1547,**
26 **SHOP STEWARDS.**
27

28
29 Prepared by: Employee Relations Department
30 Approved by: Nancy B. Usera, Employee Relations Director
31 Concur: Dennis A. Wheeler, Municipal Attorney
32 Concur: George J. Vakalis, Municipal Manager
33 Respectfully submitted: Daniel A. Sullivan, Mayor
34
35

LETTER OF AGREEMENT

By and Between

MUNICIPALITY OF ANCHORAGE (M0A)

and the

**INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL
UNION 1547 (IBEW)**

Number: IBEW - 002

This agreement is between the Municipality of Anchorage (Municipality) and the International Brotherhood of Electrical Workers, Local 1547 (IBEW). The Municipality and the IBEW are parties to a Collective Bargaining Agreement (CBA). Article 2.9.5 of the CBA governs the role of Shop Stewards.

The purpose of this agreement is to amend the CBA to add a provision to allow Shop Stewards to utilize leave without pay to attend Union training.

The following is new language:


2.9.5.1.1 Shop stewards may be granted leave without pay for union training purposes with prior approval of the Utility Manager or Department Director, regardless of whether or not they have exhausted all of their accrued paid leave.

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 MOA:

 11/5/10

Nancy B. Usera Date
Director, Employee Relations

SIGNED FOR THE IBEW:

 11-4-2010

Dusty Menefee Date
Chief Shop Steward

Content ID: 009729**Type:** AR_AllOther - All Other Resolutions

Title: A RESOLUTION APPROVING A LETTER OF AGREEMENT BETWEEN THE MUNICIPALITY OF ANCHORAGE AND THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL UNION 1547, SHOP STEWARDS.

Author: cayouettejm**Initiating Dept:** ER**Date Prepared:** 12/17/10 4:09 PM**Director Name:** Nancy B. Usera, ER Director**Assembly Meeting Date:** 1/11/11**Public Hearing Date:** 2/1/11

<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	12/28/10 2:04 AM	Exit	Joy Maglaqui	Public	009729
MuniManager_SubWorkflow	12/28/10 2:04 AM	Approve	Joy Maglaqui	Public	009729
CFO_SubWorkflow	12/27/10 12:02 PM	Approve	Lucinda Mahoney	Public	009729
Legal_SubWorkflow	12/20/10 3:13 PM	Approve	Rhonda Westover	Public	009729
ER_SubWorkflow	12/17/10 4:19 PM	Approve	Nancy Usera	Public	009729
AllOtherARWorkflow	12/17/10 4:11 PM	Checkin	Julie Cayouette	Public	009729