
AC TRANSIT DISTRICT**Board of Directors**

Executive Summary

GC Memo No. 09-241

Meeting Date: October 14, 2009

Committees:Planning Committee External Affairs Committee Rider Complaint Committee **Board of Directors** Finance and Audit Committee Operations Committee Paratransit Committee **Financing Corporation**

SUBJECT: Consider Adoption of Resolution No. 09-055 Confirming the Approval of a Collective Bargaining Agreement with Amalgamated Transit Union, Local 192 (Paratransit)**RECOMMENDED ACTION:** Information Only Briefing Item Recommended Motion**Adopt Resolution No. 09-055**

Fiscal Impact:

Year 1 (FY 09-10)-\$49,223

Year 2 (FY 10-11)-\$107,457

Year 3 (FY 11-12)-\$163,970

Background/Discussion:

The adoption of this Resolution will approve the extension of the Amalgamated Transit Union, Local 192 (Paratransit) Agreement for the period July 1, 2009 through June 30, 2011.

Prior Relevant Board Actions/Policies:

Adoption of Resolution No. 07-016

Attachments:

Attachment A: Resolution No. 09-055

Approved by: Rick Fernandez, General Manager
Prepared by: Kenneth C. Scheidig, General Counsel
Date Prepared: October 5, 2009

ALAMEDA-CONTRA COSTA TRANSIT DISTRICT

RESOLUTION NO. 09-055

**A RESOLUTION CONFIRMING THE
APPROVAL OF AN AGREEMENT WITH THE
AMALGAMATED TRANSIT UNION (ATU), LOCAL 192 (PARATRANSIT)**

WHEREAS, in accordance with Public Utilities Code Section 25051, authorized representatives of the Alameda-Contra Costa Transit District (the District) and the Amalgamated Transit Union, Local 192 (the Union) engaged in collective bargaining to negotiate a labor agreement for the District=s Paratransit operations for the three year period of July 1, 2009 to June 30, 2012; and

WHEREAS, the parties bargained in good faith and reached tentative agreement on a proposed agreement; and

WHEREAS, the tentative agreement was considered and approved by the District=s Board of Directors at its closed session held on August 26th, 2009, subject to ratification by the Union=s membership; and

WHEREAS, on September 14th, 2009, the Union=s membership voted to approve the tentative agreement

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE ALAMEDA-CONTRA COSTA TRANSIT DISTRICT DOES RESOLVE AS FOLLOWS:

SECTION 1. Confirms its approval of the tentative labor agreement negotiated in good faith between the representatives for the District and the Union, which covers the three year period from July 1, 2009 to June 30, 2012. The essential terms of the agreement are set forth in Exhibit A, attached to this resolution and incorporated by reference.

SECTION 2. This resolution shall become effective immediately upon its passage and adoption by four affirmative votes of the Board of Directors.

PASSED AND ADOPTED THIS 14th day of October 2009.

Rocky Fernandez, President

ATTEST:

Linda Nemeroff, District Secretary

I, Linda Nemeroff, District Secretary for the Alameda-Contra Costa Transit District, do hereby certify that the foregoing Resolution was passed and adopted at a Regular Board Meeting of the Board of Directors held on the 14th day of October 2009 by the following roll call vote:

AYES: DIRECTORS:

NOES: DIRECTORS:

ABSENT: DIRECTORS:

ABSTAIN: DIRECTORS:

Linda Nemeroff, District Secretary

APPROVED AS TO FORM:

Kenneth C. Scheidig, General Counsel

**ATU Paratransit Agreement
September 2009**

ECONOMIC	
Subsection of CBA	Description of Change
21.02	Deferred Compensation: <ul style="list-style-type: none"> • Increase monthly contribution to deferred compensation plan \$25, to a total of \$125 (retro to 7/1/09).
22.0	Wages: <ul style="list-style-type: none"> • FY09/10 - 1% increase (retro to 7/1/09) • FY10/11 - 2% increase • FY11/12 - 2% increase
55.0	Add new section that Control Room Operators will train their extra-qualified replacements. 10% training rate.
NON ECONOMIC	
3.05	Add language that allows for alternative means of handling complaint investigations and hearings. Joint management and union investigations. Changes requirement for severely disabled customers having to come into the division to testify at disciplinary hearings.
5.08	Updated Arbitrator panel to match fixed route CBA
36.01	Add an additional division sign-up.
39.02(b)(1)	Change language to allow Extra-Qualified Control Room Operators to fill one day unscheduled vacancies, instead of day off work for Qualified Control Room Operators.
MOU	
	“Job Bids Within District” (pg. 106 of current CBA) Add language that allows two exceptions to this MOU: Paratransit employees can apply for “Internal Only” postings’ and if they move from the Paratransit bargaining unit their service time in Paratransit will be included in determining their vacation accruals.