

Agenda Report

TO: City Council

DATE: March 22, 1998

FROM: City Manager

SUBJECT: Addendum to Memorandum of Understanding between City of Pasadena and United Public Employees of California, Local 777, regarding Agency Shop provision.

RECOMMENDATION:

It is recommended that the City Council amend the Memorandum of Understanding between the City and UPEC, Local 777, by adopting the tentative agreement on an Agency Shop provision, and direct the Director of Finance to begin the appropriate payroll deductions, consistent with the Agency Shop agreement.

BACKGROUND:


The 1997-1999 Memorandum of Understanding between the City and UPEC, Local 777, adopted by the Council on June 2, 1997, allowed the parties to re-open negotiations on an Agency Shop provision. Such provisions are permitted under Section 3502.5 of the California Government Code.

The parties have met, and concluded an agreement on an Agency Shop provision within the parameters recently approved by the City Council. Under the agreement, all employees in the bargaining unit would be required, as a condition of continued employment, to either join the Union, or pay an Agency Fee to the Union. Agency fees are designed to cover the costs borne by the Union for representing all employees in the bargaining unit. Such fees exclude the percentage of regular membership dues that the Union devotes to political activities. The terms of the agreement will take effect four (4) months following adoption of this provision by the Council.

FISCAL IMPACT:

There is no fiscal impact associated with this Agency Shop agreement.


Respectfully Submitted,


CYNTHIA J. KURTZ
City Manager

Approved by:


for GALE E. HARRISON
Director of Human Resources

Reviewed by:


JAY M. GOLDSTONE
Director of Finance

The City of Pasadena and Pasadena Association of Clerical/Technical Employees - LIUNA, Local 777 mutually agree to modify the Memorandum of Understanding between the parties to incorporate the following Agency Shop provisions:

AGENCY SHOP

Section 1 Agency Shop Defined

It is mutually agreed by the parties that the term “agency shop” means that every employee represented by this Unit, shall as a condition of continued employment, either join the certified majority representative organization, or pay the organization a Fair Share Fee; or pay a sum equal to the Agency Shop Fee to a non-religious and non-labor charitable fund exempt from taxation under Section 501(c)(3) of the Internal Revenue Service Code for the duration of this agreement, or a period of three years from the effective date of this agreement, whichever comes first.

Section 2 Religious Objections

An employee who is a member of a bonafide religion, body, or sect which has historically held conscientious objections to joining or financially supporting public employee organizations, shall not be required to join or financially support the Union. Upon request, such employee may be required to provide verification of such affiliation. Such employee shall, in lieu of periodic dues or Fair Share Fees, pay sums equal to Agency Shop Fees to a non-religious, and non-labor charitable fund exempt from taxation under Section 501(c)(3) of the Internal Revenue Code.

Section 3 Agency Shop

