



Feel the Power

**Laborers' Local 773 to City of Columbia
Proposals- FY 2015
February 5, 2014
Amendment 2/17/14- added proposal #5**

Proposals are listed in priority order

1. Labor Contract to be recognized as Collective Bargaining Agreement (CBA) and is binding on the City and the Union.

- Approve updates to Local 773 labor contract
- Authorize labor contract to be recognized as a collective bargaining agreement (CBA) per MO. Constitution section 29 article
- Approve Union submitted contract attached.
- Include the Union requested ordinances from chapter 19 and department guidelines related to working conditions
- Authorize signature page for labor contract between Union and City of Columbia

2. \$500 flat payment for FY2015 in lieu of base building increase or \$.50 cent minimum cost of living adjustment for all Union eligible employees

Cost estimate:

\$500 X 296 employee = \$148,000.00

\$.50 X 2080hrs X 296 emp = \$307,840.00

3. Occupational Injury Leave 19-123 (Workers' Compensation)

Employees be allowed to attend follow up work comp doctor appointments with no loss of pay.

Proposed language for implementation:

On the day of accident or of first medical attention, an employee will be excused from work without loss of pay, vacation or sick leave for the period of time required to obtain necessary medical attention. The remainder of the day will be excused without loss of pay, vacation or sick leave if the attending physician recommends

that the employee not return to duty. Necessary travel time is considered as time required to obtain medical attention.

If the employee is able to return to work after the accident or first medical attention, he/she will be excused from work without loss of pay, vacation or sick leave for the period of time required to obtain medical attention related to the injury or illness. An employee may be required to provide satisfactory proof of medical attention.

4. Repeal Public Works Department policy Hiring Rules with Regard to Relatives (2009) and review ordinance/Admin Rules related to working with relatives.

5. Review Chapter 19-95 Restoration of Services and 19-101 Shift differential.

To bring clarity between shift differential and restoration of services pay practices.

Respectfully submitted by:

Regina Guevara
Field Representative- Local 773

Paul Prendergast
Field Representative-Local 773

Cc: Kevin L. Starr
Business Manager- Local 773



City of Columbia
Public Works Department
Departmental Policy

Subject: HIRING RULES WITH REGARD TO RELATIVES

**Applicable
Management
Practice:** _____

Purpose: Provide direction for supervisors regarding hiring relatives of current employees

Discussion: Due to circumstances which arose from needed disciplinary actions within the department, it was determined that this new policy was required. Therefore, the City of Columbia, Public Works Department shall prohibit the hiring of first, second, third and fourth degree relatives of current employees within the Public Works Department. Exceptions will be considered for temporary or emergency employment. This policy supersedes the current City policy in effect on January 1, 2009.

Degrees of Relation are outlined below:

FIRST DEGREE RELATION TO SELF OR SPOUSE

- Child
- Parents

SECOND DEGREE RELATION TO SELF OR SPOUSE

- Grandchild
- Brother/Sister
- Grandparents

THIRD DEGREE RELATION TO SELF OR SPOUSE

- Great Grandchild
- Niece/Nephew
- Aunt/Uncle
- Great Grandparents

FOURTH DEGREE RELATION TO SELF OR SPOUSE

- Great Grandchild
- Grand Niece/Nephew
- First Cousin
- Great Aunt/Uncle
- Great Great Grandparents

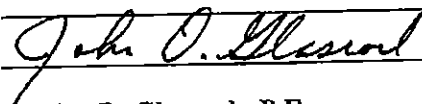
Additional Information to Determine Nepotism:

1. A husband is related by marriage (affinity) to his wife's relatives in the same way that she is related to them by blood (consanguinity) and she to his family in the same way, but the kindred of the spouses are not related to one another. A brother of the husband is not related to a brother of the wife, etc.
2. Half relationship is the same as whole relationship.
3. Step relationship is the same as a blood relationship
4. Relationship by marriage (affinity) terminates if death or divorce occurs.

Effective Date:

January 1, 2009

Approved by:



John D. Glascock, P.E.
Director

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- a. the employee leaves City service;
- b. the employee gives a false reason for a leave of absence.

The rights of any permanent employee who now or hereafter is a member of the Armed Services of the United States shall be governed by Federal Laws.

2. Effect on Seniority

Upon successful completion of a probationary period, the employee gains a seniority date in his/her classification, allowing (depending on operating needs):

- a. primary consideration in scheduling vacation and/or other leaves;
- b. primary (first) consideration in case of lay-offs and recalls to work in the same position;
- c. additional consideration for position reassignments, transfers and/or promotions, but only subsequent to evaluation of operating needs, knowledge and skills, performance, attendance, and overall work record.

Admin Rule

Section I.

EMPLOYMENT OF RELATIVES.

1. It is the general policy of the City to avoid hiring relatives of present employees into permanent positions in the same work unit. No person shall be promoted or transferred to a department when as a result he/she would be working in reasonable proximity to another member of his/her immediate family. Relatives, for the purpose of this section, are defined as the employee's spouse, children, mother, father, sibling(s), mother-in-law, father-in-law, grandparents, grandchildren, uncles, aunts, nieces, nephews, first cousins, and step-relatives. Exceptions to this provision may be granted by the Director if recommended by the Department Head.
2. Should two employees in close working proximity decide to marry and one would be supervising the other, one must resign or transfer to another work assignment within sixty (60) days after the date of the wedding. A transfer to a different department, office or division is dependent upon conformity with all other personnel regulations and budgetary limitations.

Section 19-95 Mutual aid emergency pay and restoration of services.

(1) Whenever the city manager either requests the emergency assistance of others under a mutual aid agreement or authorizes city employees to provide emergency assistance to others under a mutual aid agreement, overtime eligible city utility employees working in response to the emergency shall be paid mutual aid emergency pay as described in subsection (a) (2). The city manager shall determine when the period for receiving mutual aid emergency pay begins and when it ends.

(2) For every twenty-four (24) hour period during which an overtime eligible city utility employee works in response to the emergency, the employee shall be paid at the employee's overtime rate for sixteen (16) hours and at the employee's regular rate of pay for eight (8) hours.

(1) For the purpose of this section, “critical public infrastructure” shall be defined as roads, water lines, sewer lines, electrical substations, electrical transmission and distribution overhead and underground lines up to and including the customer’s meter and telecommunications.

(2) Nonexempt city employees shall be paid at a rate of one and a half (1½) times base rate when called in or requested to stay at work outside of regularly scheduled work hours for the purpose of repairing or clearing critical public infrastructure to restore a public service, or to remove from service critical public infrastructure to protect life or property, or an emergency declared by the city manager. This section shall only apply when the interruption of the public service is caused by a failure or obstruction of critical public infrastructure, or to protect life or property in immediate danger, or an emergency declared by the city manager. The extra premium compensation paid for the excess hours is excludable from the regular rate and shall be credited toward overtime payments.

(Ord. No. 20595, § 1, 4-5-10; Ord. No. 21920, § 1, 12-2-13)

(Ord. 21920, Amended, 12/02/2013, Prior Text; Ord. 20595, Added, 04/05/2010)



City of Columbia
Public Works Department
Departmental Guideline

Subject Guidelines for Restoration of Services Provisions

Applicable Management Practice Chapter 19 Section 95 of the City Code as it relates to restoration of services for Public Works

Purpose: To establish consistent guidelines for supervisors and employees regarding restoration of services provisions.

Sec. 19-95. Mutual aid emergency pay and restoration of services.

(b) Restoration of services

(1) For the purpose of this section, "critical public infrastructure" shall be defined as roads, water lines, sewer lines, electrical substations, electrical transmission and distribution overhead and underground lines up to and including the customer's meter and telecommunications.

(2) Nonexempt city employees shall be paid at a rate of one and a half (1 ½) times base rate when called in or requested to stay at work outside of regularly scheduled work hours for the purpose of repairing or clearing critical public infrastructure to restore a public service, or to remove from service critical public infrastructure to protect life or property, or an emergency declared by the City Manager. This section shall only apply when the interruption of the public service is caused by a failure or obstruction of critical public infrastructure, or to protect life or property in immediate danger, or an emergency declared by the City Manager. The extra premium compensation paid for the excess hours is excludable from the regular rate and shall be credited toward overtime payments.

Discussion: Chapter 19 Section 95 of City Code of Ordinances covers pay for restoration of services.

The restoration of services part of this Ordinance is intended to cover activity outside of regularly scheduled work hours required to restore critical public service(s) that was interrupted due to a failure of public infrastructure. For Public Works the three critical public services covered under this ordinance are generally Street, Sanitary Sewer and Storm Sewer service(s). The Airport has been included in this policy, at the City Manager's discretion.

The attached list is to be used as a guideline to indicate covered activities under the restoration of services part of the ordinance.

Premium Pay on Timesheets:

The hours code PP (Premium Pay) shall be used on all time sheets when one of the above covered activities has occurred for all hours outside of the employee's regularly scheduled work shift. The comments section of the timesheet should contain an explanation: "PP hours for restoration of service per 19-95(b) on (Date) at (location)"

Premium pay will be paid at a rate of one and a half (1-1/2) times the employee's base rate. There are only four exceptions to this rule:

- 1) Temporary employees are not eligible for premium pay.
- 2) If an employee works more than 40 hours during the week and chooses to earn compensatory time off, rather than paid overtime, premium pay shall not be included on the timesheet for that week.
- 3) Premium pay shall not be included on the timesheet when an employee, who is not regularly scheduled to work on a holiday, is called in to work for one of the covered activities. HW (holiday worked) shall be used for all hours worked and PH (Paid Holiday) shall be used for the 8 hours scheduled off for the holiday.
- 4) Premium pay shall not be used when the work function of the job is related to, but is not involved in the actual restoration of the service, i.e. administrative work, loading salt trucks, etc.

Employee's base rate is their hourly rate. It does not include additional pay items such as shift differential, meal allowance, etc.

Effective Date:

JANUARY 3, 2014

Approved by:

John D. Glascock

John Glascock, P.E.
Director

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