CITY OF GRASS VALLEY

MEMORANDUM

TO: Grass Valley City Council
FROM: Michael E. Lewis, Human Resources Manager
VIA: Jeffrey Foltz, Interim City Administrator
DATE: December 3, 2007

SUBJECT: Adoption of Agency Shop Side Letter for City of Grass Valley’s Unit #4, Maintenance and Operations Employees Represented by The International Union of Operating Engineers (IUOE), Local 39

STAFF REPORT

BACKGROUND: On August 30, 2007 the State of California Department of Industrial Relations, Mediation and Conciliation Service conducted an Agency Shop election for Unit #4 employees. The election resulted in a majority vote in favor of Agency Shop for Unit #4 employees. A side letter was negotiated and signed by the city’s representative, Michael E. Lewis, Human Resources Manager and the Local 39 Business Representative, Gary Winegar. The letter was sent to the IUOE headquarters office in San Francisco and signed off by the union’s business manager on November 7, 2007. The side letter was then returned to the city by mail postmarked November 14, 2007.

Under the provisions of the Government Code Section 3502.5(b) all current regular employees and all new employees in Unit #4 of the City of Grass Valley represented by the union shall as a condition of employment, authorize payroll deductions for either:

- Becoming a member of the Union and pay dues of $18.00 and one hour’s pay per month, or;
- Pay to the Union a fair share fee of $18.00 and one hour’s pay per month, or;
- File with the Union a notice of conscientious objection.

The side letter initiates these terms and conditions, and further it indemnifies and holds harmless the City of Grass Valley from all claims arising out of the administration of the dues deduction.

RECOMMENDATION: It is recommended that the City Council approve the resolution and adopt the side letter implementing Agency Shop for Unit #4 represented employees.