

- Board of Directors
Legal, Claims and Personnel Committee

September 14, 2004 Board Meeting

9-8

Subject

Approval of an initial Memorandum of Understanding between the Metropolitan Water District of Southern California and the Water Attorneys of Metropolitan

Description

Water Attorneys of Metropolitan (WAM) is a bargaining unit consisting of Metropolitan's Deputy General Counsels. There are currently 15 employees in WAM.

WAM classifications were previously part of the Management and Professional Employees Association (MAPA) bargaining unit. In October 2002, the attorneys elected to form their own bargaining unit, and in March 2003, Metropolitan recognized WAM as a separate bargaining unit.

After discussions with the Compensation Committee on August 10, 2004, negotiations were successfully concluded with WAM on a one-year agreement, expiring on June 30, 2005. The terms of the agreement have been ratified by the WAM membership.

The key economic terms of the agreement include a three percent (3%) general increase, effective the first payroll period including July 1, 2004. Benefits shall be identical to those afforded employees in the MAPA bargaining unit.

The annual cost of the agreement is approximately \$67,500.

Attachment 1 is a summary of the negotiated terms of the MOU. A complete copy of the MOU is available in the Executive Secretary's office.

Policy

Metropolitan Water District Administrative Code Section 6101(k) and (l). As a result of negotiations, as defined in Section 6101(l), the Chief Executive Officer is authorized with Board approval to enter into a MOU with WAM, per Section 6101(k).

California Environmental Quality Act (CEQA)

CEQA determination for Option #1:

The proposed action is not defined as a project under CEQA because it involves continuing administrative activities, such as general policy and procedure making (Section 15378(b)(2) of the State CEQA Guidelines). In addition, the proposed action is not subject to CEQA because it involves other government fiscal activities, which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment (Section 15378(b)(4) of the State CEQA Guidelines).

The CEQA determination is: Determine that the proposed action is not subject to CEQA pursuant to Sections 15378(b)(2) and 15378(b)(4) of the State CEQA Guidelines.

CEQA determination for Option #2:

None required

Board Options/Fiscal Impacts

Option #1

Adopt the CEQA determination and authorize the Chief Executive Officer and the General Counsel to exercise discretion under Administrative Code Sections 6101(k) and (l) to enter into a MOU with WAM, effective June 20, 2004 through June 30, 2005.

Fiscal Impact: Approximate annual cost of \$67,500.

Option #2

Do not authorize. Direct management to continue MOU negotiations with WAM.

Fiscal Impact: Unknown

Staff Recommendation

Option #1



Deborah Roberson-Simms
Human Resources Section Manager

9/8/2004

Date



Jeffrey Kightlinger
General Counsel

9/8/2004

Date

Attachment 1 – Summary of Agreement Between Metropolitan Water District of Southern California & Water Attorneys of Metropolitan

**Summary of Agreement Between
Metropolitan Water District of Southern California &
Water Attorneys of Metropolitan
September 14, 2004**

Term of Memorandum of Understanding:

One year, commencing the date of MOU adoption by Board of Directors, but effective June 20, 2004, and expiring June 30, 2005.

Salaries:

3 percent across-the-board salary increase, effective first payroll period including July 1, 2004.

Two additional salary steps (approximately 2.75 percent each) shall be added to the lower end of the salary range for each classification.

Benefits:

During the term of the MOU, all benefits shall be identical to the benefits provided to the MAPA bargaining unit.

Classification Study:

If Metropolitan undertakes a classification/compensation study during the term of the MOU, the parties shall meet and confer over the comparator organizations to be used in the study. However, the Board of Directors will retain ultimate discretion in determining comparator organizations.

Merit Increases:

Limit annual Merit Increases to three steps (8.25 percent) for a rating of "Outstanding"; two steps (5.5 percent) for a rating of "Exceeds Standards"; one step (2.75 percent) for a rating of "Meets Standards." Ratings of "Improvement Needed" or "Unsatisfactory" will continue to result in no merit increases.

Peaceful Performance:

Employees shall not participate in work actions during the term of the MOU, nor accept requests from other bargaining units to honor their work actions.

Promotions:

Employees shall not be entitled to promotions based purely on time in grade.

Other MOU Provisions:

All other provisions of the MAPA MOU shall be incorporated into the MOU between the District and WAM with the exception of the following provisions which will be deleted from the WAM MOU:

- Temporary Promotions
- Classification Study
- Bulletin Boards
- Agency Shop