

**AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND AMERICAN
FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES
ASSOCIATION - AFSCME LOCAL 127 (LOCAL 127)
REGARDING THE 4-10's-5 SCHEDULE AT ENVIRONMENTAL SERVICES
DEPARTMENT – (ESD) COLLECTION SERVICES DIVISION**

Whereas the American Federation of State, County and Municipal Employees Association – AFSCME LOCAL 127 (LOCAL 127) has met and conferred with the City regarding the proposed implementation of the 4-10's-5 schedule at the Collection Services Division at ESD;

And, the City and Local 127 have mutually reached the following agreements, after meeting and conferring in good faith;

The City and Local 127 agree to the following:

1. For the open route bidding and the rerouting project process beginning July 12, 2010, Division seniority will be utilized throughout with ties broken by lottery. Sanitation Driver I's cannot bid for a Sanitation Driver II or III spot. Three (3) Sanitation Driver III spots will be reserved per each automated section. Sanitation Drivers commit to training for the routes upon which they bid
2. Already scheduled vacations will be honored until the fourth week of January 2011. The Labor Management Committee will be charged with developing a new vacation scheduling system to take effect the fourth week of January 2011.
3. Change the start time for Local 127 employees to 6:00 a.m. contingent upon the City Council approving the Department's proposal to modify SDMC 59.5.0406 to authorize residential collection as early as 6:00 AM. In addition, the other contingencies include:
 - a. California Environmental Quality Act (CEQA) issues that need to be addressed and approved by the City Council.
 - b. Local 127 will speak in support of the change to SDMC 59.5.0406.
4. When business needs arise that require having employees working on the five day/ eight hours per day routes to work a ten hour route, an interest list will be used. This list will be based on division seniority and will be refreshed on a quarterly basis. Once a quarterly list is established, no additional names will be added until the next quarterly interest list is solicited. Only Sanitation Driver II's will be on the interest list and must be trained in operating an automated packer, or consent to be trained. In no case will a driver not trained on the automated packer be allowed to drive an automated truck.
5. Drivers normally scheduled to work 10 hour shifts who are needed to work an 8 hour route shall be compensated for their normal 10 hour shift (as well as any overtime which occurs). It will be the duty of management to provide sufficient work assignment to account for the normal shift. When business needs arise that having

employees working on the 10 hours per day routes to work an eight hour route, the least senior extra-board driver by Division seniority will be assigned unless a more senior extra-board volunteers.

6. With the Division's representation and the union's understanding that there are currently a total of 5 Sanitation Drivers (of which all 5 are SD I's) who will be affected by LAYOFF and 3 Local 127 bargaining unit members who will be affected by DEMOTION (following the RIF process), the City shall reduce the number of layoffs by the number of employees in the Division who retire, or leave the Division service in any other way (i.e. transfer, resignation, etc.) by June 30, 2010.
7. There is no anticipated change to current overtime procedures.
8. Local 127 shall have the right to review the initial routes developed by the division in order to identify and address any issues that may arise due to the composition of the routes for a reasonable period of time PRIOR to the initial bid process beginning.
9. The Drivers on a 4/10 schedule shall be eligible for 10 hours of holiday pay when the holiday falls on their RDO. This is being done to ensure that a Driver receives 40 hours of compensated pay when a holiday falls on a regularly scheduled day off due to the work schedule employed in the Collection Services Division. After a holiday, the collection schedule is shifted one day out, and drivers and supervisors are required to work Saturday. As an example, if a holiday falls on a Monday and that is the regularly scheduled day off for a Driver, the employee would be eligible for 10 hours of holiday pay for Monday, be off work on Tuesday, because the collection schedule has shifted out by a day and Monday's trash is being collected on Tuesday. Because the Driver in this example does not have a Monday route schedule, he/she is off on Tuesday and will then work Wednesday, Thursday, Friday, and Saturday. The standard pay week goes from Saturday through Friday. If the Driver is not compensated for 10 hours of pay for the holiday, his/her pay check would be 2 hours short of a 40 hour week. The following table illustrates this concept:

Example of how this new schedule will work:

Regular Day Off - Monday

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Regular Schedule	Day Off	10	10	10	10		
Monday Holiday	10 (Holiday Pay)	Off	10	10	10	OT Day	
Tuesday Holiday	Off	10 (Holiday Pay)	10	10	10	OT Day	

Regular Day Off - Tuesday

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Regular Schedule	10	Day Off	10	10	10		
Monday Holiday	10 (Holiday Pay)	10	Off	10	10	OT Day	
Tuesday Holiday	10	10 (Holiday Pay)	Off	10	10	OT Day	

Regular Day Off - Wednesday

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Regular Schedule	10	10	Day Off	10	10		
Tuesday Holiday	10	10 (Holiday Pay)	10	Off	10	OT Day	

Regular Day Off - Thursday

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Regular Schedule	10	10	10	Day Off	10		
Friday Holiday	10	10	10	Off	10 (Holiday Pay)	OT Day	

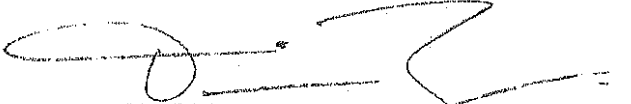
Regular Day Off - Friday

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Regular Schedule	10	10	10	10	Day Off		
Friday Holiday	10	10	10	OT Day	10 (Holiday Pay)		

10. Modify the collection schedule to collect on Martin Luther King Day, President's Day, Cesar Chavez Day, and Veteran's Day in lieu of delaying collections by one day. This would benefit employees by reducing the number of one day weekends throughout the year by four.

This Agreement is executed by the following authorized representatives of each party:

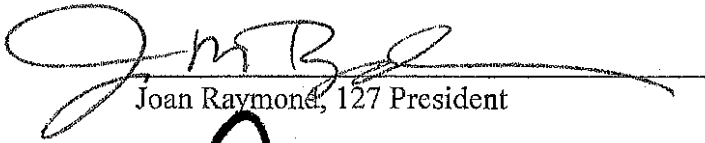
For Local 127:



Damian Tryon, Business Representative

3/26/10

Date

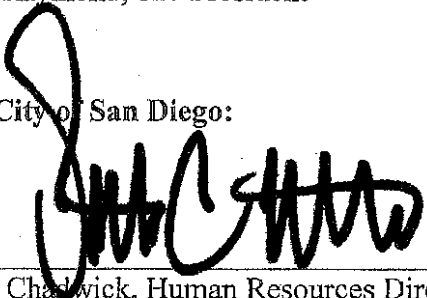


Joan Raymond, 127 President

4/1/10

Date

For City of San Diego:



Scott Chadwick, Human Resources Director

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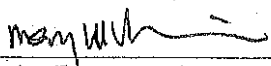
Date



Chris Gonaver, Environmental Services Director

4/1/10

Date



Mary Valerio, Deputy Director, Collections

4-1-2010

Date



Lourdes Silva, Labor Relations Officer

4/5/10

Date



John O'Neill, Labor Relations Officer

4.1.10

Date