



Legislation Details (With Text)

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Title: RESOLUTION APPROVING A ONE-YEAR EXTENSION OF THE MEMORANDA OF UNDERSTANDING BETWEEN THE SAN DIEGO UNIFIED PORT DISTRICT AND THE CALIFORNIA TEAMSTERS PUBLIC, PROFESSIONAL AND MEDICAL EMPLOYEES UNION, LOCAL 911 (SERVICE, MAINTENANCE, OPERATIONS AND CRAFTS UNIT; NON-SWORN SAFETY PERSONNEL UNIT; SUPERVISORY UNIT)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 7. 2021-0314 Attachment A, 2. 7. 2021-0314 Draft Resolution

Date	Ver.	Action By	Action	Result
9/14/2021	1	Board of Port Commissioners	adopted	

DATE:

SUBJECT:

RESOLUTION APPROVING A ONE-YEAR EXTENSION OF THE MEMORANDA OF UNDERSTANDING BETWEEN THE SAN DIEGO UNIFIED PORT DISTRICT AND THE CALIFORNIA TEAMSTERS PUBLIC, PROFESSIONAL AND MEDICAL EMPLOYEES UNION, LOCAL 911 (SERVICE, MAINTENANCE, OPERATIONS AND CRAFTS UNIT; NON-SWORN SAFETY PERSONNEL UNIT; SUPERVISORY UNIT)

EXECUTIVE SUMMARY:

The San Diego Unified Port District (District) periodically meets with designated representatives of its bargaining units to discuss wages, hours and other terms and conditions of employment. The current Memoranda of Understanding (MOUs) between the District and the California Teamsters, Professional & Medical Employees Union, Local 911 (Service, Maintenance, Operations and Crafts Unit; Non-Sworn Safety Personnel Unit; Supervisory Unit) (Teamsters) expire on September 30, 2021. Staff is requesting that the Board of Port Commissioners (Board) approve a one-year extension to the MOUs with these bargaining units.

RECOMMENDATION:

Adopt a Resolution Approving a One-Year Extension to the Memoranda of Understanding Between the San Diego Unified Port District and the California Teamsters, Professional & Medical Employees Union, Local 911 (Service, Maintenance, Operations and Crafts Unit; Non-Sworn Safety Personnel Unit; Supervisory Unit)

FISCAL IMPACT:

Funds for this item are budgeted in the FY22 budget.

COMPASS STRATEGIC GOALS:

This agenda item supports the following Strategic Goal(s).

A Port with an innovative and motivated workforce.

A financially sustainable Port that drives job creation and regional economic vitality.

DISCUSSION:

The Meyers-Milias-Brown Act (MMBA) (*Government Code §3500 et seq.*) governs labor-management relations in California local government, including cities, counties, and most special districts.

The MMBA provides that the governing body of a public agency shall meet and confer in good faith regarding wages, hours, and other terms and conditions of employment with representatives of recognized employee organizations. The MMBA defines meeting and conferring in good faith as having the mutual obligation to personally meet and confer promptly upon request by either party and continue for a reasonable period of time in order to exchange freely information, opinions, and proposals and to endeavor to reach agreement on matters within the scope of representation.

In accordance with the MMBA, the District met and conferred with the Teamsters with regard to salary, benefits, and other changes for the following bargaining units: Service, Maintenance, Operations and Crafts Unit; Non-Sworn Safety Personnel Unit; Supervisory Unit. Through the negotiations process, the District and the Teamsters reached tentative agreements.

The Teamsters ratified the proposed tentative agreements on August 18, 2021. The term of the agreements is from October 1, 2021 - September 30, 2022. The agreements include no new economic terms and conditions or across the board increases to base salary. The terms and conditions have been incorporated into a Side Letter of Agreement (Attachment A) prepared by the parties for consideration and/or adoption by the Board.

The negotiating employees, including the Executive Director and his designees, and General Counsel and his designees, and negotiators for the bargaining group, have declared and disclosed that they had only remote or non-interests (as defined by *Government Code* §§1091 and 1091.5) pertaining to these labor negotiations.

General Counsel's Comments:

The General Counsel's Office has reviewed the agenda sheet and attachment, as presented to it, and approves the same as to form and legality.

Environmental Review:

The proposed Board action, including without limitation, resolution approving an extension to an existing memoranda of understanding, does not constitute a “project” under the definition set forth in California Environmental Quality Act (CEQA) Guidelines Section 15378 because it will not have a potential to result in a direct or indirect physical change in the environment and is, therefore, not subject to CEQA. No further action under CEQA is required.

The proposed Board action complies with Section 35 of the Port Act, which allows the Board to do all acts necessary and convenient for the exercise of its powers. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed Board action is consistent with the Public Trust Doctrine.

The proposed Board action does not allow for “development,” as defined in Section 30106 of the California Coastal Act, or “new development,” pursuant to Section 1.a. of the District’s Coastal Development Permit Regulations. Therefore, issuance of a Coastal Development Permit or exclusion is not required.

Diversity, Equity, and Inclusion:

Not applicable.

PREPARED BY:

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Director, Human Resources

Attachment(s):

Attachment A: Side Letter of Agreement between the San Diego Unified Port District and the California Teamsters, Public and Professional and Medical Employees Union, Local 911 (Service, Maintenance, Operations and Crafts Unit; Non-sworn Safety Personnel Unit; Supervisory Unit)