

City of Hesperia

STAFF REPORT



DATE: May 2, 2017

TO: Mayor and Council Members
Chair and Board Members, Hesperia Water District

FROM: Nils Bentsen, City Manager

SUBJECT: Teamsters Local 1932 Appeal of the Employee Relations Officer's Decision to Modify the Teamsters General Unit

RECOMMENDED ACTION

It is recommended that the City Council schedule a meeting on June 20, 2017 to consider the Teamsters Local 1932 (Teamsters) appeal of the Employee Relations Officer's (ERO) decision to transfer two classifications (Engineering Aide and Engineering Technician) from the Teamsters General Unit to the Non-Represented Unit.

It is further recommended that, in connection with that meeting, the City Council set June 7, 2017 as the date by which Teamsters and the ERO are to submit any written statements on the issue and indicate whether they will make an oral presentation at the June 20, 2017 Council meeting.

BACKGROUND

The City's Employer-Employee Organization Relations Resolution (EEOR), Resolution 90-37, sets forth the policies and procedures for the administration of labor relations between the City and its employee organizations, in accordance with Government Code Section 3507 of the Meyers-Milias-Brown Act (MMBA). Pursuant to EEOR Article II, Section 9, the City's ERO, on his or her own initiative, may propose modification of an existing unit. In March 2017, the City's ERO, Brian D. Johnson, notified Teamsters of his proposal to modify the Teamsters' General Unit by transferring the following two classifications to the Non-Represented Unit: Engineering Aide, and Engineering Technician.

In November 2016, Mr. Johnson met Teamsters' Representative Steve Matthews, to hear the Teamsters' position on the proposed modification.

On March 30, 2017, Mr. Johnson provided the Teamsters with the written determination on the proposed unit modification, Mr. Johnson advised the Teamsters that the two classifications would be transferred to the Non-Represented Unit, and explained the reasons for his decision.

On April 12, 2017, in accordance with EEOR, Article II, Section 10, Teamsters filed a timely appeal to the City Council.

ISSUES/ANALYSIS

EEOR Article II, Section 10, requires that the City Council commence to consider Teamsters' appeal within thirty (30) days. The process proposed is that the City Council commences to consider Teamsters' appeal by selecting the date on which it will hear oral presentations from

Teamsters and the ERO, and be selecting the deadline by which any written statements must be submitted to the City Council for consideration. The City Council will then issue a decision on the issue which, in accordance with EEOR Article II, Section 10, will be final and binding.

FISCAL IMPACT

None

ALTERNATIVE(S)

1. Provide alternative direction to staff.

ATTACHMENT(S)

1. Resolution No. 90-37