RESOLUTION NO. 2018-32

A RESOLUTION OF THE ALBANY CITY COUNCIL APPROVING THE SIDE LETTER AGREEMENT BETWEEN THE CITY OF ALBANY AND ALBANY FIREFIGHTERS’ ASSOCIATION, I.A.F.F. LOCAL 5130

WHEREAS, the Memorandum of Understanding is the collective bargaining agreement between the City of Albany and Albany Firefighters’ Association, I.A.F.F. Local 5130 (AFFA); and

WHEREAS, the City of Albany and AFFA executed Memorandum of Understandings effective January 1, 2007, January 1, 2012 and January 1, 2014; and

WHEREAS, Section 7: Holiday Pay of the MOUs provides for additional special compensation in lieu of paid time off for holidays; and

WHEREAS, the City of Albany was notified by CalPERS that Section 7: Holiday Pay did not meet California Code of Regulations (CCR) 571(b)(1)(B) requirements for special compensation; and

WHEREAS, a Side Letter is required to clearly indicate the conditions for payment of holiday pay, including, but not limited to, eligibility for, and amount of, the special compensation; and

WHEREAS, the City of Albany and AFFA have met and conferred in good faith; and

WHEREAS, a Side Letter agreement between the City of Albany and AFFA has been created that incorporates the information required by the California Code of Regulations; and
WHEREAS, the changes incorporated are reflective of previous and current practice.

NOW, THEREFORE, BE IT RESOLVED, that the Albany City Council hereby authorizes the execution of the Side Letter attached hereto as Exhibit A.

PEGGA MOQUAID, MAYOR
RESOLUTION NO.  2018-32

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF A LBANY,

The 5th day of March, 2018, by the following votes:

AYES:  Council Members Barnes, Maass, Nason, Pilch and Mayor McQuaid

NOES:

ABSENT: none

ABSTAINED: none

RECUSED: none

WITNESS MY HAND AND THE SEAL OF THE CITY OF A LBANY, this

6th day of March, 2018.

Eileen Harrington

Eileen Harrington
DEPUTY CITY CLERK

The City of Albany is dedicated to maintaining its small town ambiance, responding to the needs of a diverse community, and providing a safe, healthy and sustainable community.
This Side Letter reflects an agreement between the City of Albany ("City") and the Albany Fire Fighters' Association, I.A.F.F. Local 5130 ("AFFA"), and collectively, "the Parties."

The Parties agree to amend Section 7 of the Memorandums of Understanding ("MOU") between the City and AFFA, effective January 1, 2007, January 1, 2012 and January 1, 2014 to read as follows (information being added is highlighted in **bold print**):

7. **Holidays and Holiday Pay**

   In lieu of having time off for holidays, employees covered by this Memorandum of Understanding shall be entitled to additional compensation of twelve hours straight-time pay on the following holidays:

   1) January 1
   2) the third Monday in January
   3) the second Monday in February
   4) the third Monday in February
   5) the last Monday in May
   6) July 4
   7) the first Monday in September
   8) September 9
   9) the second Monday in October
   10) November 11
   11) the fourth Thursday in November
   12) the day following Thanksgiving Day
   13) December 25

   **Straight-time pay shall be defined as base pay plus incentive or specialty pay.**
IN WITNESS WHEREOF, the parties hereby have executed this Side Letter this 5th day of March, 2018.

ALBANY FIRE FIGHTERS ASSOCIATION, I.A.F.F, LOCAL 5130

By Dustyn Wiggins, AFFA

By James Berry, AFFA

By Tim Smyser, AFFA

CITY OF ALBANY

By Nicole Almaguer, Interim City Manager

By Melissa Rojas, Human Resources Director

RATIFIED BY THE CITY COUNCIL

Dated: 3/6/2018

By City Clerk