

TOWN OF PARADISE

RESOLUTION NO. 09-49

**RESOLUTION ADOPTING THE AMENDMENT TO THE
MEMORANDUM OF UNDERSTANDING
BETWEEN THE TOWN OF PARADISE AND THE TOWN OF PARADISE
GENERAL UNIT/OPERATING ENGINEERS LOCAL NO. 3**

WHEREAS, Resolution No. 81-23 establishes procedures for Employee-Employer relations; and

WHEREAS, the Meyers-Millias-Brown Act of the State of California, commencing with Government Code Section 3500, requires certain procedures to be followed regarding Employee-Employer relations; and

WHEREAS, the Town Council has directed the Town Manager to meet and confer in good faith with members of the Town of Paradise General Unit/Operating Engineers Local No. 3, and they have so met.

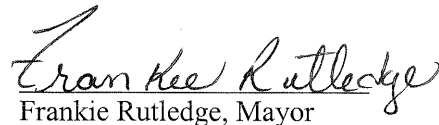
NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Paradise as follows:

Section 1. That the attached Amendment to the Memorandum of Understanding between the Town of Paradise and the Town of Paradise General Unit/Operating Engineers Local No. 3 is approved for execution by the Town Manager.

Section 2. Furthermore, the Town Manager is hereby authorized to make appropriate adjustments to the Town's annual budget, including implementation of necessary administrative changes as may be required, to implement the terms and conditions set forth in the MOU.

PASSED AND ADOPTED by the Town Council of the Town of Paradise this 28TH of September, 2009 by the following vote:

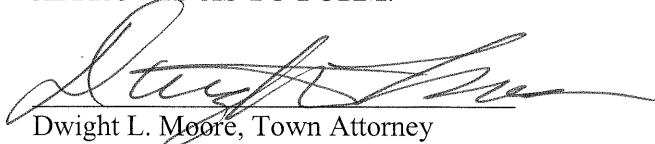
AYES:	Steve "Woody" Culleton, Joe DiDuca, Scott Lotter, Alan White and Frankie Rutledge, Mayor
NOES:	None
ABSENT:	None
NOT VOTING:	None


Frankie Rutledge, Mayor

ATTEST:


Joanna Gutierrez, CMC, Town Clerk

APPROVED AS TO FORM:

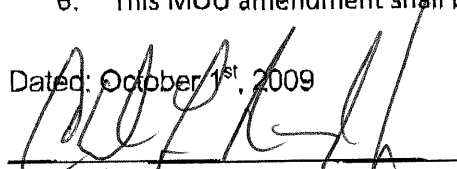

Dwight L. Moore, Town Attorney

**AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING
BETWEEN THE TOWN OF PARADISE AND OPERATING
ENGINEERS LOCAL NO. 3 DATED OCTOBER 1, 2009**

The Memorandum of Understanding (MOU) between the Town of Paradise (TOWN) and the Operating Engineers Local No. 3 (UNION), Resolution No. 09-17, dated April 28, 2009 shall be amended as follows:

1. *Reduction of work hours, notwithstanding any other provision in the MOU, for the Fiscal Year 2009-10:*
 - a) The Town and the Union agree to a 10% reduction in work hours for all members except :
 - i. The CSO III position, the Housing coordinator position, and the B&H Administrative Analyst that are 100% grant funded.
 - ii. The Environmental Technician, the Onsite Permit Technician, and the Senior Building Inspector positions that already received a 10% hour reduction in January, 2009.
 - iii. The Animal Control Supervisor, Animal Control Officer and Office Assistant to maintain the Measure N objectives.
 - iv. The Engineering Technician II retiring December 31, 2009.
 - b) No member shall be scheduled below the PERS established 1720 hours annually, prorated for the duration of this MOU amendment
 - c) All members working the reduced work hour schedule shall work four (4) consecutive days per workweek, which shall be scheduled:
 - i. Monday through Thursday for Town Hall based employees.
 - ii. Between Monday through Friday for all other bargaining unit members.
 - d) Reduced work hours shall apply to all members beginning on October 1, 2009 and ending on June 30, 2010.
2. **ON-CALL** . Overtime compensation shall be paid after the 36 scheduled hours of work in a workweek, for on-call person when employee is called in by the Town.
3. **FLEX TIME**. Members may request flextime which shall be granted at the discretion of their supervisor. If a supervisor grants a member flex-time the member shall be required to make that time up within the same pay period.
4. **SUNSET CLAUSE**. All reduced work hour members shall be returned to their prior regular work schedule on July 1, 2010, with a reopener in April, 2010 to discuss the need for further reduced hours for Fiscal Year 2010-11.
5. All other terms and conditions of the MOU will remain unchanged and in effect.
6. This MOU amendment shall be effective October 1, 2009 and shall terminate on June 30, 2010.

Dated: October 1st, 2009


Town Manager - *subject to Council approval.

Association Representative(s):

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