



**CITY OF HAWAIIAN GARDENS
CITY COUNCIL
STAFF REPORT**

Agenda Item #{{section.number}}13

DATE: June 22, 2021

TO: Honorable Mayor and Members of the City Council

FROM: Linda Hollinsworth, Interim City Manager

BY: Megan Garibaldi, City Attorney

RECOMMENDATION:

RECOMMENDATION TO ADOPT RESOLUTION NO. 020-2021 AUTHORIZING A SIDE LETTER AGREEMENT BETWEEN THE CITY OF HAWAIIAN GARDENS AND THE AMERICAN FEDERATION OF STATE, COUNTY & MUNICIPAL EMPLOYEES ("AFSCME"), RANK AND FILE BARGAINING UNIT, SUSPENDING PANDEMIC FURLOUGHS AND CLARIFYING THE PROCESS FOR RECALLING EMPLOYEES FROM LAYOFF

SUMMARY

In the past two months, City Management has engaged in good faith negotiations with the AFSCME Rank and File Bargaining Unit to clarify the process for recalling employees and to suspend the furloughs that were approved under the parties' February 2021 Side Letter Agreement. Effective February 13, 2021, the parties agreed to a regular furlough of full-time staff through December 31, 2021 to address significant budget shortfalls resulting from the COVID-19 pandemic. The steady drop in local COVID-19 case rates have since allowed for the gradual reopening of local businesses and activities at City Hall. As the City moves forward with reopening there is a need for additional staffing and the suspension of the furloughs will bring back the full-time employees to a regular schedule. Also as additional programs are made available to residents the City will be using this approved process to begin recalling, as needed, employees who had been laid off due to the reduction in revenue and discontinuation of programs.

Accordingly, the City and AFSCME Rank and File Bargaining Unit have proposed a new Side Letter Agreement to the parties' MOU to address the matter of ending the furlough and clarifying how laid off staff would be recalled. Specifically, the proposed side letter achieves the following:

- Suspends the provision of the February 2021 Side Letter Agreement, as adopted under Resolution No. 006-2021, instituting a furlough. Under the new agreement, the City may reinstate the previously adopted furlough program as necessary to meet projected budget shortfalls, provided that the Union receives 30-day notice of any such reinstatement.
- Clarifies the process for recalling laid off employees, by expanding on the process afforded in Article XI of the Rank and File Unit MOU.

Except as specified in the foregoing, the parties' MOU, as amended by the February 2021 Side Letter Agreement, remains in full force and effect. In light of the ongoing financial impacts of the COVID-19 pandemic, the City and the Union believe that the proposed side letter represents a good faith negotiation of the parties' interests.

FISCAL IMPACT

As cost savings anticipated through the furlough were not realized, this action would not introduce significant additional costs. The progressive recall of employees would also track the City's previously budgeted spending for staff compensation.

SUGGESTED ACTION

Approve Recommendation.

ATTACHMENTS

- A. Resolution 020-2021
- B. Proposed Side Letter Agreement