

MID-PENINSULA WATER DISTRICT

RESOLUTION NO. 2023-07

**RATIFYING A LETTER AGREEMENT WITH THE
MID-PENINSULA WATER DISTRICT EMPLOYEE ASSOCIATION
FOR A FOUR AND ONE-HALF YEAR TERM, FROM
MARCH 26, 2023 THROUGH SEPTEMBER 30, 2027**

WHEREAS, the Mid-Peninsula Water District Employee Association ("Association"), has been recognized by the Mid-Peninsula Water District ("District") as the sole and exclusive bargaining agent of District employees; and

WHEREAS, the Association and the District representatives have engaged in negotiations over the past month in an effort to reach agreement upon the terms and conditions of a collective bargaining agreement; and

WHEREAS, said negotiations recently have been completed, and the Interim General Manager has recommended that the Board of Directors approve execution of the Letter Agreement which sets forth the terms and conditions governing salary, benefits and other employment conditions for represented employees that the members of the Association have already approved and ratified; and

WHEREAS, the Letter Agreement identifies the Association members, salary range adjustments beginning on March 26, 2023, annual living wage adjustments, overtime pay, vacation and sick leave, a longevity incentive program, certification pay, several miscellaneous terms, the term of agreement, agreement re-openers and governance; and

WHEREAS, the Board of Directors has reviewed the terms of the Letter Agreement with the Mid-Peninsula Water District Employee Association, and found them to be consistent with the District's overall policies, goals and economic standards.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Mid-Peninsula Water District that the Letter Agreement by and between the District and the Mid-Peninsula Water District Employee Association, commencing on March 26, 2023, and ending on September 30, 2027, a copy of which is attached as Exhibit A, is hereby approved and ratified; and

BE IT FURTHER RESOLVED that the Interim General Manager was authorized to execute the Letter Agreement on behalf of the District.

PASSED AND ADOPTED this 23rd day of March 2023.

AYES: Zucca, Schmidt, Wheeler, Jordan, Vella

NOES: ~~0~~


ABSENCES: ~~0~~

ABSTENTIONS: ~~0~~



PRESIDENT, BOARD OF DIRECTORS

ATTEST:



SECRETARY OF THE BOARD



March 15, 2023

**LETTER AGREEMENT
BETWEEN THE
MID-PENINSULA WATER DISTRICT AND
MPWD EMPLOYEE ASSOCIATION**

This agreement (AGREEMENT) memorializes recent labor negotiations between the Mid-Peninsula Water District (MPWD) and MPWD Employee Association (MPWDEA).

1. MPWDEA MEMBERS

It is verified that MPWD employee classifications included within this AGREEMENT are as follows:

- Administrative Assistant
- Administrative Specialist
- Administrative Supervisor
- Lead Operator
- Maintenance Technician
- Management Analyst
- Operations Project Coordinator
- Operations Supervisor
- Water Resources Coordinator
- Water System Operator

2. SALARY RANGE ADJUSTMENTS – EFFECTIVE 12:01AM ON SUNDAY, MARCH 26, 2023

A. Adjustments to salary ranges for all MPWDEA employee classifications, as follows:

Administrative Assistant	\$68,000 - \$89,000/Year
Administrative Specialist	\$83,000 - \$110,000
Management Analyst	\$95,000 - \$124,000
Water Resources Coordinator	\$104,000 - \$136,000
Administrative Supervisor	\$106,000 - \$139,000
Maintenance Technician	\$68,000 - \$89,000/Year
Water System Operator	\$83,000 - \$110,000
Lead Operator	\$95,000 - \$124,000
Operations Project Coordinator	\$104,000 - \$136,000
Operations Supervisor	\$121,000 - \$158,000

B. 4.0% salary adjustments for all employees, or placement at the starting point on the proposed salary range above, whichever is greater.

3. ANNUAL LIVING WAGE ADJUSTMENTS

A. **Annual Classification Salary Range Adjustments:** Annual living wage adjustments to salary ranges for all employee classifications equal to the San Francisco/Oakland/San Jose CPI for Urban Wage Earners, U.S. Department of Labor, Bureau of Labor Statistics/Western Office. The measurement period will be the preceding fiscal year (July 1 through June 30) and be considered each year and approved by the Board of Directors, effective the first full payroll period after August 1 in 2023, August 1, 2024, August 1, 2025, and August 1, 2026.

B. **Annual Adjustments to Employee Salaries:** With documented completion of timely and satisfactory performance evaluation from prior year, automatic annual salary adjustments for all employees, as follows:

1. Effective first full payroll period after August 1, 2024 – 2.5%
2. Effective first full payroll period after August 1, 2025 – 2.5%
3. Effective first full payroll period after August 1, 2026 – 2.5%

The MPWD expects that employees will timely complete their self-assessments for annual performance evaluations in compliance with existing procedures, so there is no delay in processing by their Supervisors and Management. If the employee's evaluation is not timely completed because of the employee's delayed participation, the MPWD will not retroactively apply these proposed annual adjustments.

4. OVERTIME PAY– EFFECTIVE 12:01AM ON SUNDAY, MARCH 26, 2023

An employee required to work any overtime between the hours of 12:01AM and 6:30AM during the work week (Sunday through Saturday) shall be compensated for each overtime hour at the rate of two (2) times the employee's base rate of pay.

5. VACATION AND SICK LEAVE

The requirements (Section 7.04C) of the MPWD Personnel Rules shall be deleted that non-exempt employees have a 90-day waiting period before they can use accrued vacation and sick leave.

6. LONGEVITY INCENTIVE PROGRAM

A. Section 6.11 of the MPWD Personnel Rules shall be deleted regarding one-time gift card service awards (\$200-\$600), and replaced with longevity incentive program equal to 1%-4% of employee's annual base salary, maintaining the 5-year intervals:

- 1% @ 5 Years (from hire date and at 5-year anniversary)
- 2% @ 10 Years
- 3% @ 15 Years
- 4% @ 20+ Years

B. One-time new longevity incentives will be granted to employees with at least 5, 10, 15, and 20 years of service to the MPWD, payable via special payroll by Friday, March 31, 2023.

7. CERTIFICATION PAY

A. Certification verification. It is hereby verified that when a higher certification is achieved that level of certification pay will be applied, not added to the prior certification pay for a cumulative or "rolled up" stipend.

B. Certification pay will be restated in the MPWD Personnel Rules as converted to bi-weekly payroll amounts, rather than monthly.

- C. The certification pay for D1 shall be deleted but the one-time stipend for the successful passing of the D1 exam will be maintained.
- D. The General Manager has the authority to add stipends for employee professional certifications that meet a business need for the MPWD.

8. MISCELLANEOUS

- A. Tier 1 Retired Employee Healthcare Benefit: A Tier 1 employee must be married for the cumulative 24 months immediately prior to retirement for spousal coverage in retirement.
- B. Tier 3 Retiree Healthcare Benefits. Tier 3 Retiree Healthcare benefits language will be clarified to include "retirement under CalPERS from the MPWD" like the other two tiers. Reference Section 6.I.1. (pages 19 and 20 of MPWD Personnel Manual dated 10/28/2019).
- C. Maintenance Technician Classification. All Maintenance Technicians are required (with one grandfathered personnel exception), to obtain their Water Distribution Operator D2 certification within 24 months of March 23, 2023, and it is a permanent requirement for all new hires in this classification.

9. TERM OF AGREEMENT

The term of this letter agreement between the MPWD and MPWDEA will be effective Sunday, March 26, 2023, at 12:00AM through Thursday, September 30 2027, at 11:59PM, with reservation of three (3) agreed upon re-openers described next in Section 10, which will be bargained in good faith by the MPWD and MPWDEA.

10. RE-OPENERS

- A. Updates, including reviews by ACWA JPIA and District Counsel, to:
 - 1. MPWD Personnel Rules, related to applicable bargained items, and including COVID-19 protocols.
 - 2. MPWD Compensation Plan.
 - 3. MPWD Employee Classifications to clarify minimum qualifications, skillsets, knowledge, and requirements for career ladder succession within the Administrative and Operations employee classification groups, e.g.:
 - Administrative Assistant/Administrative Specialist/Management Analyst; and
 - Maintenance Technician/Water System Operator/Lead Operator.

11. GOVERNANCE

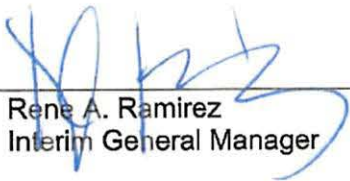
Should there be any inconsistencies between the terms of this AGREEMENT and provisions within the MPWD's Personnel Manual dated March 29, 2019, or as hereafter revised, this AGREEMENT shall govern except for the vested rights contained within Section 6.06(B) "CalPERS Retirement Benefits."

TENTATIVE AGREEMENT of bargaining provisions reached on March 15, 2023.

FINAL AGREEMENT reached between the MPWD and MPWD Employee Association and Letter Agreement signed on March 16, 2023.

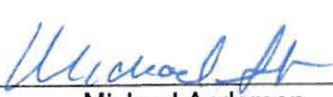
LETTER AGREEMENT will be presented for ratification by the MPWD Board of Directors at its regular meeting scheduled for Thursday, March 23, 2023.

MPWD

BY: 

Rene A. Ramirez
Interim General Manager

MPWD EMPLOYEE ASSOCIATION

BY: 

Michael Anderson
President