

Memorandum of Agreement

By and Between

King County

and

Professional and Technical Employees, Local 17 – Transit Chiefs –

Metro Transit Department [042]

and

Professional and Technical Employees, Local 17 – Transit Superintendents –

Metro Transit Department [044]

Subject: Settlement of Personal Holiday/Holiday Bank grievance

Background:

1. This Agreement covers two Professional and Technical Employees, Local 17 (PROTEC17) bargaining units in the King County Metro Transit Department: (i) Transit Chiefs; and, (ii) Transit Superintendents (collectively, the Transit Chiefs and Superintendents).

2. King County and the Transit Chiefs and Superintendents are parties to King County's Master Labor Agreement (the MLA), along with a Coalition of 60 other bargaining units. The MLA was executed by the parties on or about March 13, 2018.

3. At the time the MLA was executed, the parties' intention was for each bargaining unit to adopt the terms of the MLA, except for those provisions which were specifically reserved in separate Appendices for each individual bargaining unit (the Appendices).

4. These Appendices largely contained provisions from each individual bargaining unit's former, separate collective bargaining agreement (CBA) with King County.

5. Article 8.2 of both the Transit Chiefs' and Superintendents' former CBAs credited employees with two personal holidays in the following manner:

8.2 Personal Holidays.

Eight hours of holiday time will be credited to each Employee's holiday accrual bank in the pay period that includes the first day of October and eight hours of holiday time will be credited to each Employee's holiday accrual bank in the pay period that includes the first day of November of each year.

6. When adopting the MLA, the parties eliminated Article 8.2 from their Appendices in favor of MLA Article 10.3.

7. Article 10.3 of the MLA changed the above personal holiday process by crediting employees with two personal holidays in their vacation banks during a single pay period in January (or upon hire):

10.3. Two Personal Holidays. Effective January 1, 2018, leave eligible employees shall receive two (2) personal holidays every year to be added to their vacation bank in the second full pay period of the year or upon hire. These two personal holidays shall continue to be administered per contract language in each individual Appendix. In no event shall there be more than two (2) personal holidays awarded per year.

8. Historically, Transit Chiefs and Superintendents had provisions in their CBAs that established holiday banks. These holiday banks were unique from other King County bargaining units. When adopting the MLA, they retained these holiday banks in Article 8.3 of each of their bargaining units' Appendices. Those articles now state:

An Employee may not exceed 40 hours of holiday time, including personal holidays, in his/her Holiday Accrual Bank on the pay period that includes September 15 of each year. Any amount in excess of 40 hours on the pay period that includes September 15 shall be forfeited.

9. 2018 was the first year King County credited employees with personal holidays under the MLA. The 2018 credit of personal holidays occurred on June 28, 2018, rather than January 2018, because the MLA went into effect mid-year. These deposits were made to employees' vacation leave banks, per MLA Article 10.3. In January 2019, King County again made deposits to all employees' vacation leave banks, in accordance with MLA Article 10.3.

10. On or about September 21, 2018, PROTEC17 filed a grievance at Step 2, asserting that Appendix Article 8.3 required King County to continue depositing the personal holidays in Transit Chiefs' and Superintendents' unique holiday banks. King County denied the grievance at Step 2.

11. The parties now enter into the below Settlement Agreement (the Agreement) in order to resolve this grievance.

Agreement:

1. Following the application of the relevant vacation cap for 2018, King County will transfer the 2018 and 2019 personal holiday allowances for Transit Chiefs and Superintendents from their vacation leave banks to their holiday banks. A corresponding number of hours will be removed from each employee's vacation balance. This change will appear on employees' February 6, 2020, paychecks.

2. In January 2020, King County will deposit the Transit Chiefs' and Superintendents' 2020 personal holidays in the employees' holiday banks.

3. All rules concerning the maximum number of hours in Transit Chiefs' and Superintendents' personal holiday banks and vacation leave banks shall remain in place, without exception.

4. By way of this Agreement, the County places PROTEC17 on notice that it will continue to pursue the objective in the next round of MLA and "small table" bargaining to uniformly administer leave benefits and control high balances of accrued leave. The controversy raised by this grievance has focused attention on the unique Holiday Bank that the Transit Chiefs and Superintendents have retained in their Appendices. King County places PROTEC17 on notice that it will propose the elimination of Holiday Banks from the Appendices.

5. By way of this Agreement, PROTEC17 withdraws the September 21, 2018, grievance with prejudice.

6. This Agreement applies only to the current term of the MLA, which expires on December 31, 2020. This agreement shall not establish precedent and shall not be applied following its expiration.

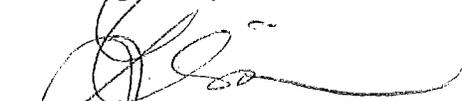
For Professional and Technical Employees, Local 17:



Denise Cobden
Union Representative

12/11/19
Date

For King County Metro Transit:



Lisa Voight
Division Director
Employee Services

12/12/19
Date

For King County:



David S. Levin
Labor Relations Negotiator – Sr.
Office of Labor Relations
King County Executive Office

12/13/2019
Date