Letter of Agreement By and Between CITY OF TACOMA And

PROFESSIONAL AND TECHNICAL EMPLOYEES LOCAL 17 (PROTEC17) Implementation Date:

Subject: Shift Incentive Pay - TPU Power Division

The City of Tacoma ("City") and the Professional and Technical Employees Local 17 (PROTEC17) ("PROTEC17") (collectively, the "Parties") enter into this Letter of Agreement ("LOA").

Background

This LOA results from Tacoma Public Utilities ("TPU") Power Division's business need to schedule certain employees in the PROTEC17 Union to either a swing shift or graveyard shift. The Union is interested in employees who work these shifts receiving shift incentive pay. The current P17 2023-2026 Collective Bargaining Agreement ("CBA") contains language regarding shift incentive pay for employees working swing or graveyard shifts, but the language only applies to the Public Works Department and Environmental Services Department. The Parties enter into this LOA to: (1) revise the current CBA shift incentive pay language so that it also applies to the TPU Power Division; and (2) to provide the shift incentive pay to two employees in the TPU Power Division who have worked swing shift since May 1, 2023.

Agreement

The Parties agree to the following terms and conditions:

- 1. The "Implementation Date" of this LOA will occur at the end of the pay period following signature of all the signatories below.
- 2. The CBA Section 11.8 will be revised to also apply to the TPU Power Division as follows:

<u>Section 11.8 - Shift Incentive Pay</u> (Public Works <u>Department, and TPU Power Division</u> only)

The following three criteria must be met for shift incentives to apply:

- 1. The shift must have been formally established.
- 2. The employee is assigned the shift as their regular, ongoing work schedule.
- 3. The employee must actually work the shift.

An employee assigned to work the swing shift and who meets the defined criteria shall receive shift incentive pay, which is an application of rate of three percent (3%) above their regular rate of pay. An employee assigned to work the graveyard shift shall receive an application of rate of five percent (5%). Employees will receive shift differential only for actual hours worked on that shift. The City and the Union agree that an employee assigned to any shift that begins:

- 1. On or after 3:00 p.m. but before 10:00 p.m. will receive the swing shift application of rate.
- 2. On or after 10:00 p.m. but before 3:00 a.m., will receive the graveyard application of rate.

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Employees who are required to work a temporarily modified shift, i.e. start and stop times are altered by more than two (2) hours, shall receive twenty-four (24) hours' notice of said modification. In the event the employee does not receive the required twenty-four (24) hour notification, all hours worked outside the employee's regular shift shall be paid at the appropriate overtime rate or equivalent compensatory time off.

- 3. The Parties agree that Doug Boettner and Donna Ebi, both Engineering Construction Coordinators in Power Generation, have each worked swing shift at certain times between May 1, 2023 and the Implementation Date of this LOA. In the first full pay period following the Implementation Date of this LOA, the City will retroactively provide Mr. Boettner and Ms. Ebi the difference between the pay they received and the application of rate that they did not receive, that they would be eligible for pursuant to the terms of Section 11.8 of the CBA, when they worked swing shift hours between May 1, 2023 and the Implementation Date of this LOA.
- 4. The Parties agree that this LOA fully resolves this matter. The Union agrees that it will not file a Grievance regarding this matter, except as it deems necessary to enforce the terms of this LOA.

This LOA is contingent on all signatories signing below. Nothing in this LOA is intended to be used as a precedent for future contract negotiations or other similar matters.

Local 17 (PROTEC17):		For the City of Tacoma:	
Karen Estevenin Executive Director PROTEC17	Date	Jackie Flowers Director of Utilities	Date
Brent Wagar Union Representative	Date	Chris Robinson Superintendent, Tacoma Power	Date
		Dylan Carlson Labor Relations Division Manager	Date
		Approved as to Form:	
		Erik Furer Deputy City Attorney	Date