### LETTER OF AGREEMENT

# Between City of Tacoma

and

## International Brotherhood of Electrical Workers, Local 483 And

AFSCME Local Number 120 Subject: Click! Retention Incentive

Date: \_\_\_\_\_

This Letter of Agreement (LOA) is by and between the City of Tacoma (City and/or Employer), and the IBEW Local 483 and AFSCME Local 120, herein referred to as "the Parties".

The LOA describes the Parties' agreement regarding the parameters of a retention incentive program for employees whose employment is considered essential for the continued operations of Click!.

#### **Background**

The City is exploring new avenues and how to continue providing service to Click! customers, including the potential of contracting out many functions of current Click! operating staff. As Click! continues to provide service until decisions are reached, the parties recognize that certain employees and/or positions are considered "essential" to continue operations. As recognition of this, the Parties have agreed to the following as compensation for a retention incentive for specifically identified employees.

#### <u>Agreement</u>

- 1. <u>Essential Employees Defined</u>: The Parties agree to incentivize the retention of employees that are deemed essential by management, at its sole discretion, to the continued operation of Click! These essential employees are listed on "Exhibit A" to this LOA. Only employees identified as "essential" may qualify for the retention incentive under the terms of this LOA.
- 2. <u>Timeline for Payment</u>: Upon completion of their time as deemed "essential" by the Director of Tacoma Public Utilities, *or* until Click! ceases operations as a Cityowned entity, *or* until the City Council and Public Utilities Board adopt a resolution to end the pursuit of a public-private partnership agreement, whichever is first, "essential" employees shall receive a one-time lump sum payment of fifteen thousand dollars (\$15,000) in compensation for their successful contribution to the transition of Click! operations. The parties recognize that the successful completion of an employee's time as deemed "essential" may differ between employees based upon the business needs of the Click! organization. Accepting this incentive shall not prohibit employment at the City in another capacity after

the time period is served. The Employee shall also be eligible for benefits under the terms of "Click! Employee Severance LOA" upon completion of this period if the employee does not achieve employment in another position within the City. There does not have to be a break in City employment for an employee to qualify for this incentive.

- 3. Floating Holidays: Throughout the time period an employee is deemed "essential" under the provisions of paragraph #2 of this LOU, such employees shall receive one (1) Floating Holiday (eight hours) every two months during the time they are employed with Click!. The first Floating Holiday will be awarded April 1, 2019, with subsequent days awarded every two months thereafter (eg: June 1, 2019, August 1, 2019, etc.) These Floating Holidays will be subject to customary usage and cash out restrictions, consistent with TMC 1.12.200(2).
- 4. <u>Processed Through Payroll:</u> This one time lump sum will be processed through the City's payroll system and is subject to taxes as required by state and federal law. Consistent with the TMC, lump sum payments are not considered in TERS contributions or benefit calculations.
- 5. <u>Ineligible for Retirement Incentive:</u> Click! employees listed as "essential" under the terms of this LOA are not eligible for participation in any retirement incentive program the time period when an employee is deemed "essential."

This Letter of Agreement shall not establish precedent for the parties hereto, nor for any other collective bargaining units or departments of the City.

FOR THE CITY:		FOR THE UNION:	
Elizabeth Pauli City Manager	Date	Alice Phillips Business Manager, IBEV	Date / Local 483
Jackie Flowers Director of Utilities/CEO	Date	Miguel Morga Staff Representative, Loc	Date cal 120
Dylan Carlson Senior Labor Relations M	Date		

Andy Cherullo Finance Director	Date	Approved as to form:	
		Paul Goulding, Deputy City Attorney	Date

### "Exhibit A" to Click! Employees Retention Incentive Letter of Agreement

Click! Network Essential Personnel (Represented) Updated for 2/7/19

First	Last	Bargaining Unit	Classification
Brenda	Pence	483 Clerical	Financial Assistant
Timothy	Hogan	483 Click	Telecom Network Tech +10%
Matthew	Roy	483 Click	Network Oper Ctr Tech +10%
Barbara	Whitmore	483 Click	Network Oper Ctr Tech +10%
Dave	Klock	483 Supervisors	Telecommunications Supervisor, Asst
Patrick	Jacobs	120 WSCCCE	Broadband Services Technician, Lead
Hong	Kim	120 WSCCCE	Broadband Services Technician
Theodore	Van Tuyl	120 WSCCCE	Broadband Services Technician, Lead
Robert	Vance	120 WSCCCE	Broadband Services Technician
Derrek	Whitfield	120 WSCCCE	Converter Inventory Technician