




December 27, 2011

TO: GCT Board of Directors

FROM: Steve L. Rosenberg 
Director, Administrative Services

SUBJECT: Consider Adoption of Resolution Number 2012-01, Ratifying the Implementation of the Last, Best and Final Offer (LBFO) Dated November 2, 2011 as the Contract between GCT and the Bus Operator Unit

I. Executive Summary

Gold Coast Transit employees have three established bargaining units—Administrative Support, Mechanical and Bus Operators. The three units are represented by the Service Employees International Union Local #721 (SEIU). The most recent set of MOU's expired on November 1, 2010. From October 2010 through October 2011, SEIU and GCT management (GCT) met and conferred and exchanged freely information, opinions and proposals concerning wages, hours and working conditions.

Proposed MOUs for all three units were taken to the members in October 2011. The MOU for the Administrative Services unit was approved by the members and ratified by the Board in November 2011. The MOU for the Bus Operators Unit was not approved. Subsequently, GCT received and responded to a list of outstanding issues from SEIU and submitted to SEIU a Last, Best and Final Offer.

On November 16, 2011, the Board, at the request of SEIU, granted the union one additional week to hold an election. The Board directed that if an agreement was not reached by 8:00 a.m. on November 23, 2011, the negotiations would be considered at impasse. No agreement was reached within the time period. In compliance with Board Resolution 76-16, the parties held an impasse meeting on December 1, 2011. Following that meeting, the Board met again on December 7, 2011. The Board considered SEIU's most recent submittal of issues and implemented the LBFO. Said announcement was made publically after consideration in closed session.

Resolution 2012-01 ratifies the Board's decision to implement the LBFO. The full text of the Bus Operator LBFO is Attachment "A" to this report.

II. Summary and Recommendations

It is recommended that the Board adopt Resolution 2012-01, ratifying the implementation of the Last, Best and Final Offer (LBFO) dated November 2, 2011 as the contract between GCT and the Bus Operator Unit.

General Manager's Concurrence:

A handwritten signature in blue ink that reads "Steven P. Brown". The signature is written in a cursive style and is positioned above a horizontal line.

Steven P. Brown

RESOLUTION NO. 2012-01

A RESOLUTION OF THE BOARD OF DIRECTORS OF GOLD COAST TRANSIT (GCT) RATIFYING IMPLEMENTATION OF THE LAST, BEST AND FINAL OFFER (LBFO) PREPARED BY THE EMPLOYEE RELATIONS OFFICER OF GOLD COAST TRANSIT FOR THE GCT BUS OPERATORS UNIT OF SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 721

WHEREAS, commencing on October 27, 2010 and continuing from time to time through October 7, 2011, the Service Employees International Union Local #721 (SEIU), through its duly appointed representatives, and GCT management (GCT), through its duly appointed representatives, met and conferred and exchanged freely information, opinions and proposals concerning wages, hours and working conditions; and,

WHEREAS, as a result of said "meet and confer" sessions a contract offer was submitted by GCT to SEIU, and

WHEREAS, SEIU conducted a member election vote which closed on or about October 21, 2011, which did not result in a agreed upon Memorandum of Understanding between the parties, and

WHEREAS, after SEIU subsequently provided GCT a list of outstanding issues and GCT responded to those issues, GCT submitted to SEIU through GCT General Counsel a Last, Best and Final Offer on November 2, 2011, and

WHEREAS, on November 23, 2011, the GCT Board of Directors declared impasse and directed its Chief Negotiator to notify SEIU that it had declared negotiations to be at an impasse, such notification was provide to SEIU and

WHEREAS, on December 1, 2011, GCT and SEIU, in compliance with the impasse procedure in Section 15 of Board Resolution 76-16, held an impasse meeting where the outstanding issues were discussed, and

WHEREAS, after that impasse meeting the Board met on December 7, 2011, considered the remaining issues and found that the issues could not be resolved and that the Board , in compliance with Section 16(d) of Board Resolution 76-16, unilaterally implemented the Last, Best and Final Offer

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby ratifies accepts and approves the implementation of the Last, Best and Final Offer for the Bus Operator Unit dated November 2, 2011 as the governing document establishing the work rules and conditions for the Bus Operator Unit. The Secretary/General Manager is hereby authorized and directed to carry out all of the provisions contained therein.

RESOLUTION NO. 2012-01

PASSED AND ADOPTED THIS 4th DAY OF JANUARY, 2012.

Bryan MacDonald
Board Chair

ATTEST:

I HEREBY CERTIFY that the foregoing Resolution 2012-01 was duly adopted by the Board of Directors of Gold Coast Transit at a regular meeting thereof held on the 4th day of January, 2012.

Steven P. Brown, Secretary of the Board