CITY OF MINNEAPOLIS

And

Minnesota Teamsters Public and Law Enforcement Employees Union, Local No. 320 (Drivers Unit)

LETTER OF AGREEMENT 2009-2010 Winter Work Assignment Procedures

RECITALS

WHEREAS, the City of Minneapolis (hereinafter "Employer") and the Respective Association (hereinafter "Union") are parties to a collective bargaining agreement that is currently in force; and

WHEREAS, the collective bargaining agreement requires that layoffs due to workforce reductions will be in reverse order of Job Classification seniority;

WHEREAS, the Parties have entered into a Letter of Agreement entitled Winter Work Reserve Pool and Ancillary Agreements that is currently in force; and

WHEREAS, all Employees have been given the opportunity in seniority order to voluntarily fill vacant permanent assignments or transfers outside of the Fleet Service Division: and

WHEREAS, the Parties agree that there have been a variety of work assignment procedures for Union employees; and

WHEREAS, the Parties agree that it was the intent that the Winter Work Reserve Pool and Ancillary Agreements Letter of Agreement would only apply to those Union employees who are assigned on a daily basis by the Fleet Services Division's dispatch office, and who are not considered on a permanent transfer or long term assignment to a different division, and who actually bid for winter shift assignments through the Fleet Services Division during the 2009-2010 winter season, (hereinafter "affected employees"); and

WHEREAS, the Parties agree that the ability afforded to affected employees who would be assigned to the Reserve Pool to choose that assignment or be laid off is in the best interest of the Parties; and

WHEREAS, the Parties agree that the "affected employee's" choice to be laid off may result in situations where less senior (Job Classification) Union employees are working while more senior (Job Classification) employees are laid off;

NOW THEREFORE BE IT RESOLVED, that the parties agree as follows for the period that the Winter Work Reserve Pool and Ancillary Agreements Letter of Agreement is in effect (with the exception noted in item 4):

- 1. Only the "affected employees" as defined above shall be subject to Reserve Pool assignment or voluntary layoff;
- 2. That voluntary layoffs by affected employees that result in situations where lower Job Classification seniority employees are still at work is permitted;
- 3. "Affected employees" volunteering for layoff cannot "bump" lower seniority employees in their Job Classification title;
- 4. Layoffs, including voluntary layoffs, will remain in effect beyond the term of the Winter Work Reserve Pool and Ancillary Agreements Letter of Agreement until the respective layoff periods expire, or until employees are reinstated according to established vacancy-based layoff and recall procedures.

THE PARTIES have caused this Letter of Agreement to be executed by their duly authorized representative whose signatures appear below.

FOR THE CITY OF MINNEAPOLIS:

FOR THE ASSOCIATION:

Fimothy O Giles

Director, Employee Services

Mike O'Donnell

Union Representative