



MAYOR AND COUNCIL COMMUNICATION

DATE: 02/16/2016

REGULAR

ITEM #: 10

MOTION

AGENDA ITEM: Petition from Local 49

SUBMITTED BY: Sarah Sonsalla, City Attorney

THROUGH: Clark Schroeder, Interim City Administrator

REVIEWED BY: Sarah Sonsalla/Clark Schroeder

SUGGESTED ORDER OF BUSINESS:

- Introduction of ItemStaff
- Report/Presentation.....Staff
- Questions from Council to Staff Mayor Facilitates
- Public Input, if Appropriate Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion..... Mayor Facilitates

PUBLIC POLICY STATEMENT (IF APPLICABLE)

SUMMARY AND ACTION REQUESTED:

Council Member Bloyer requested that the City Council discuss the petition that was received from Operating Engineers, Local 49 (“Local 49”) and the upcoming election and provide City staff with any additional direction that the Council feels is needed.

BACKGROUND AND STAFF REPORT:

On January 28, 2016, the State of Minnesota, Bureau of Mediation Services (“BMS”) received a petition filed by Local 49 for determination of a bargaining unit and certification of Local 49 as the exclusive representative for certain Public Works Department employees in the City. The BMS also issued a Maintenance of Status Quo Order. The Status Quo Order tells the City that it should not make any changes in the terms and conditions of employment for the affected employees. This would include changes in pay or job classifications.

Ballots for the union election will be mailed to employees on February 22, 2016. Ballots will need to be returned by March 3, 2016 and tabulation of the ballots will be conducted on March 4, 2016.

In the event that Local 49 obtains a majority of votes cast in its favor, it will be deemed the exclusive representative for this group of employees. If a majority of voters choose no representation or there is a tie vote between representation and no representation, the BMS will declare that Local 49 is not the exclusive representative of the employees and will lift the Status Quo Order.

The City may campaign against the election of the union at this time up until the union election. The City's campaign may consist of both written materials and meetings with the employees. However, the City has to make sure that the information being provided to the employees is not threatening and does not make any promises. Attached is an information memo from the League of Minnesota Cities that explains what the City can and cannot do with respect to a campaign.

City staff has scheduled a meeting on February 18, 2016 to meet with the affected employees in order to provide them with information concerning the election. The meeting will be hosted by Julie Johnson, Mike Bouthilet and Cathy Bendel. I will review the materials and the statements that will be made by City staff at the meeting.

RECOMMENDATION:

If Council concurs with this plan, no further action or direction from the Council is needed at this time.

ATTACHMENT(S):

Excerpt from the League of Minnesota Cities Human Resource Reference Manual