

**SOUND TRANSIT  
STAFF REPORT**

**MOTION NO. M2008-105**

**Labor Agreement with Amalgamated Transit Union (ATU) Local 758  
for Tacoma Light Rail Vehicle Operators**

<b>Meeting:</b>	<b>Date:</b>	<b>Type of Action:</b>	<b>Staff Contact:</b>	<b>Phone:</b>
Finance Committee	11/06/08	Discussion/Possible Action to Recommend Board Approval Action	<b>Adrian Byrd-Pina, HR Officer</b>	(206) 398-5077
Board	11/13/08			

<b>Contract/Agreement Type:</b>	<input checked="" type="checkbox"/>	<b>Requested Action:</b>	<input checked="" type="checkbox"/>
Competitive Procurement		Execute New Contract/Agreement	X
Sole Source		Amend Existing Contract/Agreement	
Agreement with Other Jurisdiction(s)		Budget Amendment	
Real Estate		Property Acquisition	

**PROJECT NAME**

Light Rail Vehicle Operator Labor Agreement with Amalgamated Transit Union (ATU) Local 758

**PROPOSED ACTION**

Authorizes the chief executive officer to execute a three-year labor agreement with the Amalgamated Transit Union Local 758 covering Tacoma Link Light Rail Vehicle Operators.

**KEY FEATURES of PROPOSED ACTION**

- This labor agreement will cover seven LRV Operators at Tacoma Link and any new operator positions which may be created in the next three years. Tacoma LRV Operators are unique within the agency – they are the only public transit operators managed directly by Sound Transit.
- The agreement is the result of negotiations initiated between Sound Transit and the ATU as a result of the Public Employee Relations Commissions (PERC) recognition of ATU Local 758 as the bargaining unit for these employees.
- The agreement replaces Sound Transit’s current “Pay for Performance” Program with a more traditional union compensation approach involving pay steps and COLA increases.
- The Compensation & Performance Award component of the Pay for Performance Program is no longer applicable to these employees and the salaries established continue to be consistent with those offered by other transit agencies in the region.
- The approved labor agreement includes recognition of seniority, a grievance procedure and progressive discipline, and other provisions similar to Pierce Transit and King County Metro.
- On October 7, 2008, the union presented the tentative labor agreement to the members and the members voted to accept the agreement. As part of the agreement, Sound Transit

agreed to make the contract provisions retroactive to the date the members accepted the agreement.

- Contract proposals have been reviewed by Sound Transit's labor attorney throughout this process.

### **BUDGET IMPACT SUMMARY**

There is no action outside of the Board-adopted budget; there are no contingency funds required, no subarea impacts, or funding required from other parties other than what is already assumed in the financial plan.

### **BUDGET and FINANCIAL PLAN DISCUSSION**

The proposed action would authorize the execution of a three year agreement with ATU Local 758 covering the Tacoma Link operator positions, effective October 1, 2008. The Tacoma Link operator wages and benefits are covered in the Tacoma Link transit operations budget.

For 2008, the total budget for Tacoma Link wages and benefits (of which these operators are a part) is \$1,395,236, and the spending to date through September was \$1,006,477, or 96% of the year-to-date budget. The estimated impacts of this action are affordable within the existing 2008 budget.

For 2009, the Proposed 2009 Budget included a wage and benefit budget of \$1,826,632, an increase of 31% over the 2008 budget. This includes two additional FTEs, so the total increase on a per-FTE basis is 16%. This budget fully contemplated the impacts of this labor agreement when it was being developed and is affordable in the financial plan.

Future years will be funded through the transit operations budget for that year in accordance with the terms of the contract and current economic assumptions.

### **BUDGET TABLE**

Not applicable for this action.

### **SMALL BUSINESS PARTICIPATION**

There is no Small Business goal or commitment related to this labor agreement.

### **PROJECT DESCRIPTION and BACKGROUND for PROPOSED ACTION**

In September 2007, Tacoma Light Rail Vehicle (LRV) Operators signed papers which were submitted by ATU, Local 758 to the Public Employment Relations Commission (PERC) for the purpose of recognizing the ATU as the bargaining unit for the Tacoma LRV Operators. PERC waived an actual vote and verified the signatures received. As a result, on October 22, 2007, PERC certified ATU Local 758 as the bargaining unit for the LRV Operators. Sound Transit has been meeting with ATU over the past several months to negotiate a three year labor agreement. Tacoma Link Light Rail became operational in August 2003. Staffing levels were initially established at a very conservative level and any additional staff added over the past five years has been to decrease overtime costs. There are currently seven LRV Operators.

The request for union representation was not unexpected. With the Central Link ATU negotiations completed, Tacoma LRV Operators are aware that the represented King County Metro Bus Drivers will be operating the Central Link Light Rail Vehicles in 2009.

Analysis of Contracting Out vs. Performing In-House

This does not apply to this labor agreement. PERC has recognized ATU Local 758 as the bargaining unit for these seven employees and there are no applicable issues.

**PRIOR BOARD/COMMITTEE ACTIONS**

None.

**CONSEQUENCES of DELAY**

Delay will result in accrual of additional retroactive pay for the seven employees involved and jeopardize the commitment to good faith bargaining with ATU Local 758.

**PUBLIC INVOLVEMENT**

Not applicable to this action.

**ENVIRONMENTAL COMPLIANCE**

Not applicable to this action.

**LEGAL REVIEW**

LA 10/31/08

## SOUND TRANSIT

### MOTION NO. M2008-105

A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute a three-year labor agreement with the Amalgamated Transit Union Local 758 covering Tacoma Link Light Rail Vehicle Operators.

#### Background:

In October 2007, seven light rail vehicle (LRV) operators at Tacoma Link petitioned with Public Employee Relations Commission (PERC) for union representation with the Amalgamated Transit Union Local 758. PERC notified Sound Transit that they had recognized Local 758 and Sound Transit has been in negotiations with union leadership for the past several months. In September 2008 Sound Transit reached an agreement that was presented and approved by union members on October 7, 2008.

This labor agreement will cover seven LRV operators at Tacoma Link and any new operator positions which may be created in the next three years. Tacoma LRV operators are unique within the agency – they are the only public transit operators managed directly by Sound Transit. The agreement replaces Sound Transit's current "Pay for Performance" Program with a more traditional union compensation approach involving pay steps and COLA increases. The Compensation & Performance Award component of the Pay for Performance Program is no longer applicable to these employees and the salaries established continue to be consistent with those offered by other transit agencies in the region.

The approved labor agreement includes recognition of seniority, a grievance procedure and progressive discipline, and other provisions similar to Pierce Transit and King County Metro.

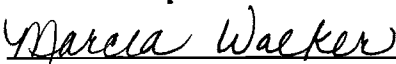
On October 7, 2008, the union presented the tentative labor agreement to the members and the members voted to accept the agreement. As part of the agreement, Sound Transit agreed to make the contract provisions retroactive to the date the members accepted the agreement.

#### Motion:

It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the chief executive officer is authorized to execute a three-year labor agreement with the Amalgamated Transit Union Local 758 covering Tacoma Link Light Rail Operators.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on November 13, 2008.

ATTEST:

  
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Marcia Walker  
Board Administrator

  
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Greg Nickels  
Board Chair