Honorable Board of Trustees of the
San Francisco Community College District

Subject: Resolution No. 960425-S7
Adopting Further Amended Benefit Levels for
Unrepresented Employees of the District Occupying
Positions within the Classifications of Electrician (7345), and
Electrician Supervisor I (7238) and approving the terms of
the Amendment to Settlement Agreement and Release as to
Respondent San Francisco Community College District
between International Brotherhood of Electrical Workers
Local 6, AFL-CIO; Laborers International Union of North
America, Local 261, AFL-CIO; and Sheet Metal Workers
International Association Local 104, AFL-CIO and the San
Francisco Community College District as set forth herein

President and Members:

WHEREAS: Pursuant to the Educational Employment
Relations Act (EERA, Government Code Section 3540 et seq.), the Board
by Resolution Numbers 860218-S3 and 960409-S5 designated the
Classifications of Electrician (7345), and Electrician Supervisor I (7238)
(hereinafter "Classifications") as either "Building Trades Supervisory" or
"Building Trades Classifications";

WHEREAS: The Administration has provided the non-
exclusive representative of the employees of the District occupying
positions within the Classifications with an opportunity to "meet and
discuss" the wage and benefit-related issues under contemplation herein
consistent with the Board of Trustees' obligation as a public school
employer under the EERA;

WHEREAS: The Administration recommended for Fiscal Year 1995-96
an increase in the Benefit Levels of unrepresented employees of the
District occupying positions within the Classifications and the Board of
Trustees adopted such Amended Benefit Levels pursuant to Board of
Trustees Resolution Numbers 951026-S2 and 951219-S6;

WHEREAS: The Administration has recommended a further
increase in the Benefit Levels including a retirement contribution for
unrepresented employees of the District occupying positions within the
Classifications consistent with Paragraph No. 1, below;
WHEREAS: The International Brotherhood of Electrical Workers Local 6, AFL-CIO; Laborers International Union of North America Local 261, AFL-CIO; and Sheet Metal Workers International Association, Local 104, AFL-CIO, hereinafter "Petitioners" and the District have reached agreement on the terms of a settlement in San Francisco Superior Court Case No. 961172;

WHEREAS: The terms of the "Amendment to Settlement Agreement and Release as to Respondent San Francisco Community College District" in San Francisco Superior Court Case No. 961172 provides a further increase in Benefit Levels including a Lump Sum Distribution for unrepresented employees of the District occupying positions within the classifications consistent with those reflected in Paragraphs No. 2, 3, and 4, below;

WHEREAS: The terms of the "Amendment to Settlement Agreement and Release as to Respondent San Francisco Community College District," in San Francisco Superior Court Case No. 961172, are a final and complete resolution of all claims raised in said matter;

THEREFORE, BE IT RESOLVED THAT: The Board of Trustees approves, ratifies and adopts further amended Benefit Levels including a retirement contribution for unrepresented employees of the District occupying positions within the Classifications as follows:

1. Employees' Retirement System:

   Retroactive to April 6, 1996, subject to Employees' Retirement System requirements, the District shall pay up to an additional one and one-half percent (1.5%) for a total of up to four and one-half percent (4.5%) of each employee's elected rate of contribution to the Employees' Retirement System, not to exceed an employee's elected rate of contribution;

FURTHER BE IT RESOLVED THAT: The Board of Trustees approves, ratifies and adopts the "Amendment to Settlement Agreement and Release as to respondent San Francisco Community College District," including the further amended Benefit Levels for unrepresented employees of the District occupying positions within the Classification as follows:
2. **Floating Holidays:**

Effective for Fiscal Year 1995-96 only, eligible employees shall be granted two additional floating holidays. To be eligible, employees must have been in paid status with the District for all of Fiscal Years 1993-94 and 1994-95, and must comply with the requirements of Paragraph 4, below;

3. **Lump Sum Disbursement:**

Employees who were employed in paid status for all of Fiscal Years 1993-94 and 1994-95 shall receive 25% of the wage increase for that employee's classification as certified by the Civil Service Commission in the vetoed 1994-95 Salary Standardization Ordinance. Employees who were employed in Fiscal Year 1994-95, but not in paid status for all of Fiscal Years 1993-94 or 1994-95, shall receive a pro-rata share of the above amount based upon the amount of time in paid status during these two fiscal years as a percentage of the total number of non-overtime working hours (i.e., 4160 hours) during those two fiscal years. Such lump sum payment shall be subject to applicable federal, state and local withholding. "Paid status" shall be defined as all hours for which an employee received pay, excluding overtime.

The formula is as follows: (Total number of hours in paid status in Fiscal Years 1993-94 and 1994-95, divided by 4160) X .25 X (the percentage wage increase certified by the Civil Service Commission for the employee's classification for Fiscal Year 1994-95) X (the annual regular (non-overtime) salary for Fiscal Year 1994-95 for that employee). To be eligible, employees must also comply with the requirements of Paragraph 4, below.

4. The benefits reflected in Paragraphs 2 and 3, above, shall be conferred only for those employees in the Classifications who execute a written waiver and release submitted to them for signature by the District.

FURTHER BE IT RESOLVED THAT: The Benefit Levels in effect pursuant to Paragraph No. 1, above, shall apply at the time of hire to any future unrepresented employees of the District occupying positions within the Classifications, as appropriate;
FURTHER BE IT RESOLVED THAT: All other forms of compensation, benefits, and other terms and conditions of employment not specifically enumerated herein shall continue in accordance with existing District policies, practices and procedures in effect as of the date of this Resolution;

FURTHER BE IT RESOLVED THAT: The Chancellor, Chief Operating Officer, and/or their designee are hereby authorized and directed to implement this Resolution and to submit any necessary finance resolutions to fund the implementations.

Recommended for adoption:

Del M. Anderson
Chancellor

Originator: Lawrence C. Klein