



Buhl Building ▪ 535 Griswold Street, Suite 600 ▪ Detroit, MI 48226

Special Board of Directors Meeting

*November 19, 2020
10 A.M.*



Suburban Mobility Authority for Regional Transportation

Buhl Building • 535 Griswold Street, Suite 600 • Detroit, MI 48226 • (313) 223-2100

ROLL CALL

Board of Directors Meeting

Date: November 19, 2020

CHAIR, MR. KHALIL RAHAL

VICE-CHAIR, MS. VICKI WOLBER

MS. HILARIE CHAMBERS

MR. ABDUL HAIDOUS

MR. ROYCE MANIKO

MR. BRET RASEGAN

MR. JOHN PAUL REA

Tiffany Martin-Patterson, SMART Board Secretary





Suburban Mobility Authority for Regional Transportation

Buhl Building • 535 Griswold Street, Suite 600 • Detroit, MI 48226 • (313) 223-2100

PUBLIC NOTICE

SMART will hold a Special Board Meeting of Directors Meeting November 19, 2020 at 10 A.M. by public conference call.

The agenda can be found here:

<http://www.smartbus.org/About/Our-Organization/Board-of-Directors/Board-Meeting-Schedule>

To join the meeting via smartphone, tablet or computer, please click or type this URL in a web browser: <https://smartbus.zoom.us/j/92194836829>

To join the meeting via phone only, please dial: 888-788-0099 (Toll Free)

Webinar ID: 921 9483 6829 (no password required)

Members of the public are invited to attend virtually and may participate at the public comment period.

For those unable to participate remotely, you may submit a written comment to be read at the Public Comment period by emailing SMARTBoard@smartbus.org by 10 A.M. November 19, 2020.

Requests for reasonable accommodations at SMART require advance reservations. Individuals with disabilities requiring assistance should contact SMARTBoard@smartbus.org or 313-223- 2110 as soon as possible. If you have technical difficulties joining the meeting, contact SMARTBoard@smartbus.org or 248-419-7912 and we will assist you to the best of our abilities.

PUBLIC COMMENT PROCEDURES

Public Comment will proceed as follows:

- All comments: 5 minute limit per member of the public. Kindly state your name and city of residence.
- Those on web: use raise hand feature in Zoom, each raised hand will be unmuted to make comments.
- Those only on phone: raise hand on phone (press *9), each raised hand will be unmuted to make comments.
- Written comments via email: After verbal comments, the Board Secretary will read any submitted comments received via the official SMART Board public comment email.





**SUBURBAN MOBILITY AUTHORITY FOR REGIONAL TRANSPORTATION
SPECIAL BOARD OF DIRECTORS MEETING**

**November 19, 2020
10 AM**

A G E N D A

<u>ITEM:</u>	<u>ACTION:</u>	<u>PRESENTED BY:</u>
1. Call to Order		K. Rahal
A) Pledge of Allegiance		
2. Roll Call		T. Martin
3. Public Notice	Information	T. Martin
4. Adoption of Agenda	Approval	K. Rahal
5. Public Participation	Discussion	K. Rahal
6. Chair's Report	Information	K. Rahal
7. Staff Report	Information	R. Cramer
8. Executive Session to discuss <i>Labor Agreements</i>	Approval	K. Rahal
9. New Business		
A) Labor Agreement with ATU Operators	Approval	R. Cramer
B) Labor Agreement with ATU Clerical Unit	Approval	R. Cramer
C) Retention Bonuses	Approval	R. Cramer
D) Non-Represented Employee Wage Increase	Approval	R. Cramer
10. Board Member Business	Discussion	K. Rahal
11. Adjournment	Approval	K. Rahal

DATE: November 19, 2020
TO: SMART Board of Directors
FROM: Director of Human Resources

DISPOSITION SOUGHT: Board Approval
APPROVED BY: Deputy General Manager

SUBJECT: Approval of Labor Agreement between the Suburban Mobility Authority for Regional Transportation and the Amalgamated Transit Union (ATU), Local 1564, Fixed Route Operators Unit

RECOMMENDATION:

Staff and outside counsel recommend Board approval of the agreement as being in the best interest of the Authority.

DISCUSSION:

The Authority's Policy Number 15, Relationship of General Manager and Board in Labor Relations Matters, Section IV states: "After negotiations have been completed on the collective bargaining agreement, the General Manager shall, at a public meeting, present the Board with a resolution requesting approval for the General Manager to enter into the Collective Bargaining Agreement(s) on behalf of the Authority." Accordingly, Board approval is sought.

In August of 2018, the bargaining teams for both management and labor began to negotiate a collective bargaining agreement to replace the agreement, which expired on December 31, 2018.

At ratification meetings held on August 16, 2019 and September 30, 2020, respectively, the ATU Operators membership rejected both package proposals presented to them. After further discussions, a tentative agreement was reached between the parties on October 29, 2020.

The membership of ATU, Local 1564 Operators Unit ratified their collective bargaining agreement on November 11, 2020. The new agreement includes the following economic changes:

➤ Wages and Retention Bonus:

- Members will receive a 6% wage increase effective in the first payroll period after date of ratification (period beginning November 16, 2020), which is comprised of the following two wage increases received by the other bargaining units:
 - 3% (would have been effective in the first payroll period after date of ratification)
 - 3% (would have been effective January 1, 2020)
- 2% scheduled on January 1, 2021 (consistent with other bargaining units)
- 2.5% scheduled on January 1, 2022 (consistent with other bargaining units)
- A one-time Retention Bonus of \$1,300, less required tax withholdings will be paid to all Fixed Route Operators. This payment shall not be included in the Final Average Compensation calculation for the purpose of pension benefits.

➤ Active Employee Healthcare:

- Add language that allows the Authority to reserve the right to index out-of-pocket maximum cost of a healthcare plan.

- Retiree Healthcare:
 - Provide an Authority contribution match of up to \$24.00 per month to the employee's voluntary post-tax contribution to the Health Care Savings Program (HCSP).
- Training Allowance:
 - Increase the training allowance for Master Trainers from two hours per day to three hours per day.
- Personal Leave Time:
 - Redefine eligibility for a newly hired Operator to accrue personal leave time and allow such time to be used for reasons as provided in the Paid Medical Leave Act.
- Sick Leave Payout:
 - Increase the payout of Sick Leave hours upon termination of employment, except for discharge, as follows:

Years of Employment	Payout
0-5 years	0%
5-7 years	25%
8-15 years	75%
16+ years	100%

- Uniforms:
 - Increase the annual uniform allowance for Fixed Route Operators from \$300.00 to \$350.00.
- Memorandum of Understanding
 - The parties agreed to a memorandum of understanding for equal treatment for general, across-the-board base wage rate increases, ratification bonuses and annual uniform allowance which may be provided to employees in other Unions.

The new agreement also provides change in the reporting of Union time spent when representing employees in non-SMART bargaining units, and the financial arrangements for such non-SMART representation time, along with the elimination working suspensions as penalties for progressive discipline. This provision will be cost effective and will improve operational efficiencies.

ATTACHMENT:

1. Resolution

SUBURBAN MOBILITY AUTHORITY FOR REGIONAL TRANSPORTATION

RESOLUTION

Approval of Labor Agreement Between the
Suburban Mobility Authority for Regional Transportation
and the
Amalgamated Transit Union (ATU), Local 1564
Fixed Route Operators Unit

- Whereas, The Suburban Mobility Authority for Regional Transportation notified the Amalgamated Transit Union (ATU), Local 1564, Fixed Route Operators Unit, of its intent to modify the present Agreement expired December 31, 2018; and
- Whereas, The bargaining teams for both management and labor have met to negotiate an agreement; and
- Whereas, A tentative agreement was reached between the parties on October 29, 2020; and
- Whereas, The membership of Amalgamated Transit Union (ATU), Local 1564, Fixed Route Operators Unit, ratified the proposed collective bargaining agreement on November 11, 2020; and
- Whereas, The Deputy General Manager of the Suburban Mobility Authority for Regional Transportation approves of the Agreement; now therefore be it
- Resolved, That the Board of Directors of the Suburban Mobility Authority for Regional Transportation approves the Agreement between the Amalgamated Transit Union (ATU), Local 1564, Fixed Route Operators Unit, and the Suburban Mobility Authority for Regional Transportation, effective November 11, 2020 through December 31, 2022, and authorizes the Suburban Mobility Authority for Regional Transportation to execute said agreement.

CERTIFICATE

The undersigned duly qualified Board Secretary of the Suburban Mobility Authority for Regional Transportation certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Board of the Suburban Mobility Authority for Regional Transportation.

Date

Board Secretary

No. _____

DATE: November 19, 2020 DISPOSITION SOUGHT: Approval
TO: SMART Board of Directors APPROVED BY: Deputy General Manager
FROM: Director of Human Resources

SUBJECT: Approval of Labor Agreement Between the Suburban Mobility Authority for Regional Transportation and the Amalgamated Transit Union (ATU), Local 1564, Clerical Unit

RECOMMENDATION:

Staff and outside counsel recommend Board approval of the agreement as being in the best interest of the Authority.

DISCUSSION:

The Authority's Policy Number 15, Relationship of General Manager and Board in Labor Relations Matters, Section IV states: "After negotiations have been completed on the collective bargaining agreement, the General Manager shall, at a public meeting, present the Board with a resolution requesting approval for the General Manager to enter into the Collective Bargaining Agreement(s) on behalf of the Authority." Accordingly, Board approval is sought.

In August of 2018, the bargaining teams for both management and labor began to negotiate a collective bargaining agreement to replace the agreement, which expired on December 31, 2018.

At ratification meetings held on August 16, 2019 and September 30, 2020, respectively, the ATU Clerical membership rejected both package proposals presented to them. After further discussions, a tentative agreement was reached between the parties on October 29, 2020.

The membership of ATU, Local 1564, Clerical Unit ratified their collective bargaining agreement on November 11, 2020. The new agreement includes the following economic changes:

- Wages and Retention Bonus:
 - Members will receive a 6% wage increase effective in the first payroll period after date of ratification (period beginning November 16, 2020), which is comprised of the following two wage increases received by the other bargaining units:
 - 3% (would have been effective in the first payroll period after date of ratification)
 - 3% (would have been effective January 1, 2020)
 - 2% scheduled on January 1, 2021 (consistent with other bargaining units)
 - 2.5% scheduled on January 1, 2022 (consistent with other bargaining units)
- A one-time Retention Bonus of \$1,300, less required tax withholdings will be paid to all ATU Clerical Employees. This payment shall not be included in the Final Average Compensation calculation for the purpose of pension benefits.
- Job Title Changes:
 - Change the job titles of Telephone Information Operator to Customer Care Representative and Leader Telephone Information Operator to Lead Customer Care Operator.

- Employees entering into the classification of Lead Customer Care Representative will not be subject to the pay progression to reach top pay rate, instead they will be placed immediately at the top pay rate within that classification.
- Active Employee Healthcare:
 - Add language that allows the Authority to reserve the right to index out-of-pocket maximum cost of a healthcare plan.
- Retiree Healthcare:
 - Provide an Authority contribution match of up to \$24.00 per month to the employee's voluntary post-tax contribution to the Health Care Savings Program (HCSP).
- Personal Leave Time:
 - Increase the amount of personal leave time from twenty-four hours to forty hours per year. Also, redefine eligibility for a newly hired employees to accrue personal leave time (one hour per week worked within the first contract year, up to a maximum of forty hours) and allow such time to be used for reasons as provided in the Paid Medical Leave Act.
- Sick Leave Payout:
 - Increase the payout of Sick Leave hours upon termination of employment, except for discharge, as follows:

Years of Employment	Payout
0-5 years	0%
5-7 years	25%
8-15 years	75%
16+ years	100%

- Pay when Working on a Designated Holiday:
 - Telephone information personnel required to work on the Day following Thanksgiving, Christmas Eve, New Year's Eve and Good Friday will be compensated at time and one-half times the current rate of pay rate for hours worked plus holiday pay.
- Memorandum of Understanding
 - The parties agreed to a memorandum of understanding for equal treatment for general, across-the-board base wage rate increases and ratification bonuses which may be provided to employees in other Unions.

The new agreement also provides Change the reporting of Union time spent when representing employees in non-SMART bargaining units, and the financial arrangements for such non-SMART representation time, along with the elimination working suspensions as penalties for progressive discipline. This provision will be cost effective and will improve operational efficiencies.

ATTACHMENT:

1. Resolution

SUBURBAN MOBILITY AUTHORITY FOR REGIONAL TRANSPORTATION

RESOLUTION

Approval of Labor Agreement Between the
Suburban Mobility Authority for Regional Transportation
and the
Amalgamated Transit Union (ATU), Local 1564
Clerical Unit

- Whereas, The Suburban Mobility Authority for Regional Transportation notified the Amalgamated Transit Union (ATU), Local 1564, Clerical Unit, of its intent to modify the present Agreement expired December 31, 2018; and
- Whereas, The bargaining teams for both management and labor have met to negotiate an agreement; and
- Whereas, A tentative agreement was reached between the parties on October 29, 2020; and
- Whereas, The membership of Amalgamated Transit Union (ATU), Local 1564, Clerical Unit, ratified the proposed collective bargaining agreement on November 11, 2020; and
- Whereas, The Deputy General Manager of the Suburban Mobility Authority for Regional Transportation approves of the Agreement; now therefore be it
- Resolved, That the Board of Directors of the Suburban Mobility Authority for Regional Transportation approves the Agreement between the Amalgamated Transit Union (ATU), Local 1564, Clerical Unit, and the Suburban Mobility Authority for Regional Transportation, effective November 11, 2020 through December 31, 2022, and authorizes the Suburban Mobility Authority for Regional Transportation to execute said agreement.

CERTIFICATE

The undersigned duly qualified Board Secretary of the Suburban Mobility Authority for Regional Transportation certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Board of the Suburban Mobility Authority for Regional Transportation.

Date

Board Secretary

No. _____



agenda item 9C

DATE: November 19, 2020 DISPOSITION SOUGHT: Board Approval
TO: SMART Board of Directors APPROVED BY: Deputy General Manager
FROM: Director of Human Resources

SUBJECT: Authorization to Increase Wages for Non-Union Employees

RECOMMENDATION:

That the Board authorize a 2% wage increase for non-union employees effective January 1, 2021.

DISCUSSION:

We are proposing a 2% wage across-the-board increase for our non-union employees effective January 1, 2021. This wage increase has been budgeted for both union and non-union employees for FY-2021.

ATTACHMENT:

1. Resolution

SUBURBAN MOBILITY AUTHORITY FOR REGIONAL TRANSPORTATION

RESOLUTION

Authorization to Increase Wages for Non-Union Employees

Whereas, SMART has budgeted a 2% wage increase for its union and non-union employees for Fiscal Year-2021; now therefore be it

RESOLVED, that the Board of Directors of the Suburban Mobility Authority for Regional Transportation hereby authorizes SMART to provide an across-the-board wage increase in the amount of 2% for non-union employees effective January 1, 2021.

CERTIFICATE

The undersigned duly qualified Board Secretary of the Suburban Mobility Authority for Regional Transportation certifies that the foregoing is a true and correct copy of the resolution adopted by the Board of Directors of the Suburban Mobility Authority for Regional Transportation at a legally convened meeting.

Date

Tiffany Martin, Board Secretary

No.

DATE: November 19, 2020 DISPOSITION SOUGHT: Board Approval
TO: SMART Board of Directors APPROVED BY: Deputy General Manager
FROM: Director of Human Resources

SUBJECT: Authorization to Pay a Retention Bonus to the Membership of Teamsters Local 247
Employees and AFSCME Local 1786, and Non-Union Employees

RECOMMENDATION:

That the Board authorize a Retention Bonus payment in the amount of \$1,300, less required tax withholdings for the membership of Teamster Local 247, AFSCME Local 1786 and non-union employees.

DISCUSSION:

The membership of Teamsters, Local 247 ratified their collective bargaining agreement on August 11, 2019. Shortly thereafter, the membership of AFSCME, Local 1786 ratified their collective bargaining agreement on August 21, 2019. With both agreements, the parties agreed to a memorandum of understanding for equal treatment for general, across-the-board base wage rate increases, ratification bonuses and annual uniform allowance. Additionally, SMART has a past practice of providing the same across-the-board wage increases and bonus payments to non-union employees for the purposes of equal treatment of all employees.

SMART has agreed to pay a Retention Bonus in the amount of \$1,300 less required tax withholdings, to the membership of ATU Local 1564 Operators Unit and ATU Local 1564 Clerical Unit.

We are proposing a Retention Bonus of \$1,300, less required tax withholdings for the membership of Teamster Local 247, AFSCME Local 1786 and non-union employees. This payment shall not be included in the final average compensation calculation for the purposes of pension.

ATTACHMENT:

1. Resolution

SUBURBAN MOBILITY AUTHORITY FOR REGIONAL TRANSPORTATION

RESOLUTION

Authorization to Pay a Retention Bonus to the Membership of Teamsters Local
247 Employees and AFSCME Local 1786, and Non-Union Employees

Whereas, SMART and its unions have agreed to a memorandum of understanding for equal, across-the-board treatment for bonuses in its labor contracts expiring on December 31, 2022.

Whereas, SMART a past practice of providing the same across-the-board wage increases and bonus payments to non- union employees for the purposes of equal treatment of all employees.

Whereas, SMART has agreed to pay a Retention Bonus in the amount of \$1,300 less required tax withholdings, to the membership of ATU Local 1564 Operators Unit and ATU Local 1564 Clerical Unit. This payment shall not be included in the final average compensation calculation for the purposes of pension.

Whereas, SMART has sufficient funds in the operating budget for the agreed-to Retention Bonus; now therefore be it

RESOLVED, that the Board of Directors of the Suburban Mobility Authority for Regional Transportation hereby authorizes SMART to provide a Retention Bonus payment in the amount of \$1,300, less required tax withholdings to the membership of Teamsters, Local 247, AFSCME, Local 1786 and non-union employees.

CERTIFICATE

The undersigned duly qualified Board Secretary of the Suburban Mobility Authority for Regional Transportation certifies that the foregoing is a true and correct copy of the resolution adopted by the Board of Directors of the Suburban Mobility Authority for Regional Transportation at a legally convened meeting.

Date

Tiffany Martin, Board Secretary

No.