

LETTER OF AGREEMENT BETWEEN  
THE CITY OF PACIFIC (EXECUTIVE)  
AND  
PACIFIC MUNICIPAL COURT (JUDICIAL)

ORIGINAL

Following the adoption of General Court Rule 29 and the Washington Supreme Court decision in, Washington State Council of County and City Employees, v. Hahn, 151 Wn.2d 163, (2004), the Executive Branch of the City of Pacific and the Judicial Branch of the City of Pacific express the respective authority and responsibilities of the parties in negotiating wages, hours and working conditions with this Letter of Agreement. This Letter is premised on the notion that the Executive retains authority and responsibility for wages and wage related issues, while the Judicial retains authority and responsibility for the management and administration of all working conditions other than wages or wage related conditions.

To this end:

1. The Executive will negotiate and administer collective bargaining agreements related to wages and wage related issues including any grievance process related to wages with the Unions that represent employees of the Pacific Municipal Court. (see Exhibit A)
2. The Judicial will negotiate and administer collective bargaining agreements related to non-wage and non-wage related issues including a grievance process for issues that are non-wage issues with the Unions that represent employees of the Pacific Municipal Court. (see Exhibit B)
3. The Executive will assist with negotiating the collective bargaining agreements for non-wage and non-wage related issues to the extent requested by the Judicial and subject to final approval by the Judicial; however, if situations arise where the interests of the Executive and the interests of the Judicial are in direct conflict, the branch asserting the conflict (Executive or Judicial) shall notify the other branch of the conflict and the parties shall submit the conflict to the Director of Labor Relations, or his designee and the Presiding Judge or his designee, for resolution before further bargaining on the subject matter or issue in conflict. If the Presiding Judge and Director of Labor Relations are unable to agree on a resolution within a reasonable time, the Judicial shall then designate an individual to be exclusively responsible for the negotiations on the subject matter or issue(s) in conflict, with any costs associated with the Judicial's negotiator to be paid by the Court. Should it become necessary to determine whether a particular subject of collective bargaining is a wage related matter or a non-wage related matter, the parties will submit the question to a qualified and mutually agreed upon arbitrator for resolution, with the costs associated split equally by the parties.
4. The Executive and the Judicial will meet and confer on issues of common interest in order to coordinate negotiations and the administration of collective bargaining agreements.
5. The Executive and the Judicial will meet and confer in a good faith attempt to resolve conflicts of interest related to negotiations and the administration of collective bargaining agreements.

This Letter of Agreement shall be effective as of the date of the authorizing signatures and shall remain in full force until such time as either party discontinues the Agreement by notifying the other party in writing of their intent to discontinue the Agreement.

Signed this 29th day of December, 2011.

The City of Pacific

Pacific Municipal Court

  
Richard Hildreth  
Mayor


  
L. Stephen Rochon  
Presiding Judge

Exhibit A

WAGES AND WAGE RELATED BENEFITS

**Benefits**

- Health care
- Dental care
- Life insurance
- Disability insurance
- Retirement

**Classification and Rates of Pay**

- Classification
- Wages
- Shift differential
- Salary step placement
- Salary step movement
- Thresholds for out of class payment
- Out of class step increases
- Salary upon transfer, promotion, demotion, reduction, reclassification

**Grievance**

- Wage and wage related issues
- Classification

**Holidays**

- Days
- Holiday pay

**Hours of work and over time**

- Over time thresholds
- Over time meal reimbursement
- Emergency call back
- Remote call back
- Standby pay

**Leaves**

- Sick leave accrual
- Retirement pay out
- Claims to be in hours
- Sick leave transfer
- Industrial injury
- Bereavement/funeral leave
- Sabbatical leave
- Emergency leave
- Jury duty
- Military leave

**Union Membership and Dues**

- Dues deduction
- Hold harmless for dues deduction
- Religious exemption fee

**Vacation**

- Accrual rate
- Vacation pay out
- Vacation pay out upon death of employee

**Correction of Payroll Errors**

**Employee Participation in Bargaining**

**Mileage/Meal Reimbursement on Travel**

**Temporary Work at Other than Regular Work Location**

Exhibit B

WORKING CONDITIONS OF COURT EMPLOYEES

**Administration of court policies/procedures**

- Allocation of budget approved by City \*
- Method, processes and personnel needed for court services \*
- Organizational structure
- Administration of vacation/holidays
- Administration of other paid leave
- Administration of training and development
- Assignment of out of class \*
- Minimum qualifications for out of class
- Priority in layoff/reduction in force
- Scheduling of shifts/assignments
- Hours of work
- Work schedules
- Determine "work week"
- Alternative dispute resolution
- Determine necessity of contracting for work
- Performance reviews
- Union membership / dues \*
- Administration of compensatory time
- Administration of inclement weather leave

**Classification**

- Determine minimum qualifications for advancement of employees within range or step \*
- Provide criteria for determination of classification \*

**Contract grievance procedure**

- Grievance process
- Mediation
- Work stoppage

**Discipline**

- Investigation into misconduct allegations
- Defining disciplinary action
- Authority for imposing discipline
- Standards for imposing discipline
- Appeal of discipline/grievances concerning discipline

**Hiring practices**

- Job posting/notice of vacancies
- Promotions \*
- Transfers
- Probationary employment
- Temporary employment
- Voluntary reduction

**Workplace Policies & Expectations**

- Standards for performance/evaluation of work
- Regulation of conduct within the workplace
- Attendance
- Political activity
- Alcohol/drug use
- Personal use of city resource/misuse of court position
- Safety practices and expectations
- Certification requirements to support paid leave \*
- Standards for unpaid leave
- Content of personnel files/accessibility
- Safety standards
- Attire/appearance standards
- Determine uniform(s) to be worn, if any \*
- Confidentiality and background requirements
- Conflicts of interest

\* indicates an item that may have both wage and non-wage implications