

**Memorandum of Agreement
between
City of Brockton (the City)
and
Massachusetts Laborers' District Council
on behalf of
Public Employees Local Union 1162
of the
Laborers' International Union of North America (the Union)**

This Memorandum sets forth the material terms of a successor collective bargaining agreement reached between the Union's and the City's negotiating teams, subject to ratification by the Union membership of the Union, and funding by the Brockton City Council as required by law. For purposes of further negotiations and/or impasse procedures, this Memorandum shall be considered off-the-record until ratification and funding occur. Failing such ratification or funding, both parties will be free to revert to their on-the-record positions.

1. The collective bargaining agreement which expired on June 30, 2010 shall be extended without change for a period of two years. In consideration of that, the City shall pay each currently employed member of the bargaining unit employed in Fiscal Year 2011, excluding part-time, Parking Enforcement Officers and Parking Garage Attendants, the sum of \$450 and each currently employed member of the bargaining unit employed in Fiscal Year 2012, excluding part-time, Parking Enforcement Officers and Parking Garage Attendants, the sum of \$450. In further consideration of that, the City shall pay each currently employed part-time, Parking Enforcement Officers and Parking Garage Attendants employed in Fiscal Year 2011, the sum of \$125 and each currently employed part-time, Parking Enforcement Officers and Parking Garage Attendants employed in Fiscal Year 2012 the sum of \$125. These payments shall be made within one month of the funding of this Agreement by the City Council.

The following provisions represent the material changes in the parties' agreement for an agreement through June 30, 2013.

2. Effective retroactive to July 1, 2012, the hourly rate of all steps in the salary schedule, excluding part-time, Parking Enforcement Officers and Parking Garage Attendants, shall be increased by \$0.65 per hour.

The existing wage scales shall be amended and listed in Appendix "A" to reflect the \$0.65 per hour increase.

Quoted salary amounts in Appendix "A" are subject to verification of mathematical calculations by the Auditor's Office.

3. Effective retroactive to July 1, 2012, the hourly rate of all steps in the salary schedule for part-time, Parking Enforcement Officers and Parking Garage Attendants shall be increased by \$0.30 per hour.

The existing wage scales shall be amended and listed in Appendix "A" to reflect the \$0.30 per hour increase.

Quoted salary amounts in Appendix "A" are subject to verification of mathematical calculations by the Auditor's Office.

4. Effective retroactive to July 1, 2012, the clothing and boot allowance shall be increased by \$1,100.00.

5. Effective on June 30, 2013 at midnight, the clothing and boot allowance shall be reduced by \$500.00 and in lieu thereof, the hourly rate of all steps in the salary schedule, excluding part-time, Parking Enforcement Officers and Parking Garage Attendants, shall be increased by \$0.25 per hour.

The existing wage scales shall be amended and listed in Appendix "B" to reflect the \$0.25 per hour increase.

Quoted salary amounts in Appendix "B" are subject to verification of mathematical calculations by the Auditor's Office.

6. Effective July 1, 2012, additional pay for holding a commercial drivers license (CDL) shall be increased by \$0.08 per hour; in exchange therefore, all employees receiving any additional pay for holding a CDL shall be subject to random alcohol and drug testing pursuant to the City's Drug and Alcohol Policy.

7. Effective January 1, 2013, additional pay for holding a CDL shall be increased by \$0.07 per hour.

8. Effective in July 1, 2012, each level in the longevity scale shall be increased by \$300.

9. Article 18-02 shall be amended to state as follows: "Longevity pay will be paid in the first paycheck issued after December 1st of each year." Additionally, the grievance filed by the Union on this issue shall be withdrawn

10. Article 11 - 1 shall be amended by

deleting the following language:

Custodians. Subject to Section 11-9 (Library Custodians), shift schedules for Custodians shall be 7:00 a.m. – 3:00 p.m.; 3:00 p.m. – 11:00 p.m.; and 11:00 p.m. – 7:00 a.m.

and adding the following language:

Custodians. Subject to Section 11-9 (Library Custodians), shift schedules for Public Property Custodians shall be 7:00 a.m. – 4:00 p.m.; 3:00 p.m. – 12:00 p.m. Overtime for Public Property Custodians shall be calculated based on a 40-hour work week consistent with this Agreement.

11. Article 11-1 shall be amended by

deleting the following language:

Cemetery: 6:00 a.m. to 2:30 p.m. during the period from April 1 and December 1, and 7:00 a.m. to 3:30 p.m. during the remainder of the year.

and adding the following language:

Cemetery: 6:00 a.m. to 2:30 p.m. during the period from April 1 and December 1, and 7:00 a.m. to 3:30 p.m. during the remainder of the year; provided however, that employees of the Cemetery Department who work 6:00 a.m. to 2:30 p.m., shall receive differential pay equal to eleven and three tenths (11.3%) percent of their regular pay.

12. Article 11-1 shall be amended by

deleting the following language:

Highway/Parks Department: Shift schedules for Highway and Parks Department employees between Memorial Day and Labor Day shall be from 6:00 a.m. to 2:30 p.m. The parties agree to reopen the contract as follows: 1) in March of each calendar year to discuss the possibility of extending these summer hours from April 1 to Memorial Day and 2) in August of each calendar year to discuss the possibility of extending these summer hours from Labor Day to October 31.

and adding the following language:

Operations Division (Highway, Maintenance & Refuse) & Park Departments: Shift schedules for Operations Division and Parks Department employees between May 1 and October 1 shall be from 6:00 a.m. to 2:30 p.m, with the exception of the Refuse Division, between May 1 and October 1, the Saturday shift shall be 8:30 A.M. to 3:00 P.M..

Dated this ___ day of December, 2012.

MA LABORERS' DISTRICT COUNCIL,
LOCAL 1162,

CITY OF BROCKTON,
By Its Mayor,

Brian Matta 1/28/13
[Signature] 1/28/13
[Signature] 1/28/13
Craig Belcher 1/28/13
[Signature] 1/31/13⁵

[Signature]
Linda M. Balzotti

APPROVED AS TO FORM:

[Signature]
Law Department