

**MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF RAPID CITY
AND THE LOCAL 1031, COUNCIL 59, AMERICAN FEDERATION OF STATE,
COUNTY, AND MUNICIPAL EMPLOYEES AFL-CIO, PROVIDING HOLIDAY PAY
FOR NEW EMPLOYEES.**

This Memorandum of Understanding is made and entered into between the City of Rapid City, a municipal corporation of the State of South Dakota, and the Local 1031, Council 59, American Federation of State, County, and Municipal Employees AFL-CIO.

WHEREAS, the Local 1031, Council 59, American Federation of State, County, and Municipal Employees AFL-CIO ("AFSCME"), is the designated bargaining unit for the employees of the City of Rapid City with the exception of elected officials, confidential employees, Police Department employees, Fire Department employees, seasonal employees, Library employees, stagehands and all employees who work an average of less than 20 hours per week; and

WHEREAS, the parties entered into a collective bargaining agreement covering the period from January 1st, 2014 through December 31st 2017; and

WHEREAS, the parties have agreed to open discussions on the contract for the limited purpose of discussing a change to allow new employees hired after June 6, 2016 to be paid for any holidays that occur during the first 90 days of their employment; and

WHEREAS, currently, new employees do not receive holiday pay during their first 90 days of employment; and

WHEREAS, on June 6, 2016, Council approved a change to the City's Non-Union Guide, which allows new non-union non-exempt employees to receive holiday pay within the first 90 days of employment; and

WHEREAS, in order to keep parity between union and non-union employees, changes to union contracts in effect after June 6, 2016 are being brought forward to implement a comparable change; and

WHEREAS, this change would allow AFSCME member employees hired on or after June 6, 2016 to be paid for any holidays that occur during their first 90 days of their employment; and

WHEREAS, this change would be implemented retroactively to June 6, 2016.

NOW THEREFORE, the parties hereby agree to amend the current collective bargaining agreement as follows:

1. Section 16.06 of the current collective bargaining agreement shall be amended to read as follows:

16.06. Eligibility for pay for a holiday not worked shall be:

- A. The employee must be in active employment when the holiday occurs;
- B. If the employee was scheduled to work on the holiday and refused to do so, no payment will be made for the holiday.

- 2. Any AFSCME members hired on or after June 6, 2016 shall be retroactively paid for any recognized holidays that fell within their first 90 days of employment; and
- 3. This MOU applies to all members of the bargaining unit.
- 4. All other terms and conditions of the current collective bargaining agreement remain unchanged.

CITY OF RAPID CITY



Steve Allender, Mayor

ATTEST:



Pauline Sumption, Finance Officer

LOCAL 1031, COUNCIL 59,
AMERICAN FEDERATION OF STATE,
COUNTY, AND MUNICIPAL
EMPLOYEES AFL-CIO



John Erickson, AFSCME President



Michael Bowman, AFSCME Vice President