

**FIRST AMENDMENT TO THE 2015-18 COLLECTIVE BARGAINING AGREEMENT
BETWEEN METROPOLITAN COMMUNITY COLLEGE AND LOCAL UNION NO. 571,
INTERNATIONAL UNION OF OPERATING ENGINEERS, AFL-CIO, REGARDING
ACCRUAL OF ANNUAL LEAVE BY FACILITIES CUSTODIAL EMPLOYEES**

Amendment to the 2015-2018 Facilities Custodial
Collective Bargaining Agreement

Now come the Metropolitan Community College Area, a body corporate and political subdivision of the State of Nebraska (“College”), and Local Union No. 571, International Union of Operating Engineers, AFL-CIO (“Local #571”), representing College’s Facilities Custodial Bargaining Unit, collectively known as “the Parties”, and hereby agree and amend Article X of the 2015-2018 Collective Bargaining Agreement (“CBA”) between them regarding the accrual of annual leave as follows:

WHEREAS, the Parties negotiated a renewal of the CBA between them to cover the period of July 1, 2015, through June 30, 2018, containing, in Article X of the CBA, certain language regarding implementation of a limitation on the accrual of vacation/annual leave by bargaining unit members with the intent that it be implemented and imposed only in the event that the same limitation is simultaneously or first implemented and imposed upon administrative non-bargaining unit employees, to wit:

“In the event that the College proposes to change the maximum accumulation of vacation/annual leave for administrative non-bargaining unit employees during the term of this Agreement the Parties agree to reopen negotiations for the sole purpose in adding the following language to Article X:

The College may change the method of calculating Maximum Carry Over Accumulation so that employees will no longer accumulate more than the 280 hour (35 day) maximum carry over at any time during the year if: (1) the College makes such a change for administrative non-bargaining unit employees; and (2) the College provides a mechanism for employees to get to 250 hours of accumulation prior to implementation, including but not limited to, forcing employees to use annual leave. If the change in accumulation described in this paragraph is implemented, and if any employee remains above 250 hours, those hours above 250 hours will be subject to a one-time buy back by the College at the employee’s then effective hourly rate.”; and,

WHEREAS, the College has decided to implement the change in the maximum accumulation of vacation/annual leave for administrative non-bargaining unit employees, and all other bargaining units, effective July 1, 2016; and,

WHEREAS, the College proposes to amend the CBA by deleting the above quoted language and inserting the following language in Article X of the CBA in its place:

“Effective July 1, 2016 (Implementation Date), the maximum amount of annual leave that bargaining unit employees may accumulate will be 280 hours. Once an employee accumulates 280 hours he or she will not accrue any additional annual leave until their balance drops below 280 hours. Prior to implementation of the 280 hour limitation on accrual of annual leave the College will provide a mechanism for employees with more than 250 hours to get to 250 hours of accrued leave, including, but not limited to, forcing employees to use annual leave. If on July 1, 2016, any employee’s leave balance remains above 250 hours, those hours

above 250 will be subject to a one-time buy back by the College at the employee's hourly rate as of June 30, 2016. Any delay in the Implementation Date will also delay the one-time buy back date accordingly."; and,

COME NOW the Parties and state that they have fully negotiated the above Amendment to the CBA, pursuant to Article X of the CBA, and Local 571 hereby freely and knowingly agrees to amend Article X of the CBA as proposed by the College above.

The effective date of this Amendment is ~~April~~ ^{June} 27, 2016. Pay rates, other compensation/benefit related issues, and all other terms and conditions in the 2015-2018 negotiated CBA between the Parties shall remain unchanged and in full force and effect.

DATED this 28 ^{June} day of ~~April~~, 2016.

METROPOLITAN COMMUNITY COLLEGE AREA

By: Randy Schmailzl
Randy Schmailzl
President
Metropolitan Community College

6-27-16
Date

LOCAL UNION NO. 571,
INTERNATIONAL UNION OF OPERATING ENGINEERS, AFL-CIO

By: Arvin
Name:
Business Manager
IUOE Local #571

6/14/16
Date

By: Nancy Ward
Name:
Business Representative
IUOE Local #571

6-14-16
Date