

MEMORANDUM OF UNDERSTANDING

Supplemental Agreement Concerning Article XI (Hours of Work for Regular Full-Time Employees) of the July 1, 2011 to June 30, 2013, Collective Bargaining Agreement Covering Non-Supervisory Facilities Maintenance Employees Between the Metropolitan Community College Area and Local Union #571, International Union of Operating Engineers, AFL-CIO.

The Metropolitan Community College Area (College) and Local Union #571, International Union of Operating Engineers, AFL-CIO (Union), hereby enter into this Memorandum of Understanding regarding Article XI (Hours of Work for Regular Full-Time Employees) of the Non-Supervisory Facilities Maintenance employees' Collective Bargaining Agreement (CBA) for the 2011-2013 contract years.

WHEREAS, the language in Article XI of the CBA does not make provision for payment to an employee covered by this CBA for occasions when he or she is directed by their employer to check the EMS system remotely more than one time per day; and,

WHEREAS, on occasion, based on various factors, management may request that an employee covered by the CBA check the EMS system more than once a day; and

WHEREAS, in order to address situations where an employee is asked to check the EMS system more than once a day, the Parties hereby agree to remove the following language from Article XI of the CBA:

Energy Management System (EMS)

An employee shall be paid two (2) hours at one and one-half (1 ½) times their regular rate of pay for each day on a weekend or Holiday for checking the EMS system from home on a computer. Management may request printed schedules of temperature readings. If an employee is required, after verification with their immediate supervisor or appropriate administrator to go to a campus to check a problem, the employee shall be paid call-in time, or holiday pay whichever applies, in addition to their EMS pay.

WHEREAS, In order to effectuate the intent of the Parties the following language is inserted into Article XXV in place of the above deleted language:

Energy Management System (EMS)

An employee shall be paid two (2) hours at one and one-half (1 ½) times their regular rate of pay for each time that they are directed by management to check the EMS system on a weekend or Holiday remotely from home on a computer. For example, if the employee is directed to check the EMS system remotely on a weekend or holiday once per day they will receive two (2) hours of pay at one and one-half (1½) times their regular rate of pay for each day, and if they are directed to check the EMS system remotely on a weekend or

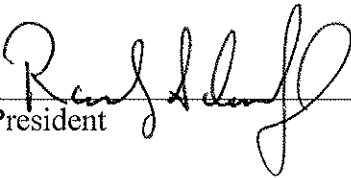
holiday twice per day they will receive four (4) hours of pay at one and one-half (1½) times their regular rate of pay for that day. Management may request printed schedules of temperature readings. If an employee is required, after verification with their immediate supervisor or appropriate administrator to go to a campus to check a problem, the employee shall be paid call-in time or holiday pay, whichever applies, in addition to their EMS pay.

WHEREAS, the Parties hereby agree that this amendment to Article XXV of the CBA is effective the 1st day of July, 2012. All other terms and conditions in the CBA remain unchanged and in full force and effect.

DATED this 17 day of September, 2012.

Metropolitan Community College Area,

Local Union #571, International
Union of Operating Engineers, AFL-CIO

By: 
President

By: 
Business Manager