

CITY OF SAN ANSELMO

RESOLUTION NO. 1304

A RESOLUTION OF THE CITY COUNCIL ESTABLISHING A PROCEDURE AND METHOD FOR THE ORDERLY AND REASONABLE RESOLUTION OF PROBLEMS CONCERNING WAGES, HOURS, AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT OF THE EMPLOYEES OF THE CITY OF SAN ANSELMO.

WHEREAS, the City Council and the employees of the City of San Anselmo desire to establish a procedure for dealing with and resolving the public employees' problems in respect of wages, hours and other conditions of employment; and

WHEREAS, the City Council desires to remove itself from direct negotiation with the employees; and

WHEREAS, the employees of the City of San Anselmo wish to negotiate through their own elected representatives;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the City Council shall appoint the City Administrator and the City Attorney as its team of negotiators with full power and authority to enter into and execute a memorandum of agreement as provided in section 3505.1 of the California Government Code.

2. That the employees of each department of the City of San Anselmo shall immediately elect one of their number as their official representative and such representative shall have full power and authority to execute the memorandum of agreement provided for in Government Code section 3505.1.

3. If the employees of any department of the City do not elect a representative within ten (10) days of notice to do so from the City Administrator it will be conclusively presumed that such employees do not desire representation.

4. The employees' election of a representative shall be by secret written ballot and the person receiving the highest number of votes shall be declared the winner provided he shall have received at least thirty (30%) per cent of all of the employees of the department. The election shall be conducted by the City Clerk who shall tally the votes with one employee of the department involved being appointed as an assistant. The City Clerk shall certify to the City Council the results of each election, showing that the elected representative did receive thirty (30%) per cent of all the membership.

5. The representatives of the City and of the various employee groups involved shall meet and confer in good faith, as such is defined in section 3505 ^{of} of the Government Code, and shall endeavor to reach an agreement on matters within the scope of representation.

6. If the representatives of the City and of the various employee groups shall not reach an agreement and the matter ultimately results in a mediation the cost thereof shall be borne by the employees as to one-half of the cost of such mediation and the City to pay the remaining one-half of such cost.

7. The elected representative of any employee group shall be endowed with power and authority to enter into and make an agreement binding, legally, on behalf of all employees represented.

8. Any employee of the City who desires not to be represented may appear and be heard on his own behalf without any prejudice whatsoever.

9. The Police Department and the Fire Department shall each respectively select a representative who shall not represent any other employee group.

10. The City Clerk shall report to the City Council, with respect to each election of employee representatives, the total number voting; the number of votes cast for each candidate; and the total


number of employees, voting or not voting, in the department involved. The City Clerk shall certify the results of each election to the City Council specifically confirming that the winner did receive thirty (30%) per cent of the vote of the total membership of the particular department involved.

11. All of the provisions of Government Code sections 3500, et seq., shall apply to the procedure outlined herein so far as the same is or are reasonably pertinent.

12. The representatives of any particular employee department shall not be heard on behalf of any employee group for which they have not been duly elected and so certified.

13. The representatives of the City and the representatives of the employees shall meet and confer in good faith with the objective of amicably resolving all problems and conflicts.

14. Any pay raise finally agreed upon ^{for the fiscal year 1970-1971} shall be effective July 1, 1970, even though final City Council approval may come after that date. The City Council agrees that salaries and wages paid from and after July 1, 1970, are not finally fixed and determined until the negotiations provided for herein are consummated. The City Council admits that the time element prevents establishing any new wage and salary schedule until after July 1, 1970, but that its intention is to have increases in wages and salaries to be effective as of July 1, 1970. Accordingly all wage and salaries paid to effected employees from July 1, 1970, forward shall be deemed "on account" and not final and complete.


ANITA GANNON, Clerk

I hereby certify Resolution No. 1304 was duly passed and adopted at an adjourned meeting of the San Anselmo City Council held June 11, 1970 by the following vote:

Ayes Councilmen: Perry, Anderson, Stewart, Reed

Noes Councilmen: Capurro


ANITA GANNON, CITY CLERK