

Tentative Agreement for a One-Year Extension of the Collective
Bargaining Agreement between the
Peralta Community College District and SEIU Local 1021 Permanent Employees
July 1, 2011 through June 30, 2012

The Peralta Community College District ("District") and the SEIU Local 1021 (Union) have met in good faith and hereby agree to the following:

The parties recognize and acknowledge that they are currently in negotiations on a number of subjects which will continue until a full successor agreement has been achieved by no later than June 30, 2012.

The parties Collective Bargaining Agreements in effect during the period of July 1, 2009 through June 30, 2011, shall be and hereby are extended for the period of one year commencing July 1, 2011 up to and including June 30, 2012, or at such time a new contract is agreed to by the parties, whichever occurs first. This agreement shall be known as the 2011-2012 Tentative Agreement for a One-Year Contract Extension.

Medical Benefits. Both parties are committed to negotiating a long-term health benefits structure that has long-term fiscal sustainability. This contract extension provides contract continuity of the current level of health benefits offered to active employees and will be in force through June 30, 2012, as the District and the Union continues to participate in the negotiating bargaining process. In the event during the negotiation process health and welfare benefits rates and services should change, this change will not affect active employees until July 1, 2012, at which time a successor agreement shall have been adopted by the Peralta Board of Trustees.

Furlough Days – The Union has agreed to a concession of six (6) furlough days that will be taken by Union members for one furlough day per month herein listed as follows: July, September, October, November 2011; and, February and April 2012.

In addition, in the event, the Governor's proposal for a tax extension is either not approved for the ballot or the voters do not approve the extension, then the Union agrees to *an additional two furlough days* to be taken one day per month in the following schedule: May and June 2012

4/10's Summer Work Schedule – The Union agrees to work the 4/10 Summer Work Schedule for the 2011-2012 year for the period beginning June 6, 2011 and ending July 29, 2011.

Implementation of the 4/10 Summer Work Schedule includes the following provisions:

1. The District shall be closed to the public on Fridays, Saturdays, and Sundays commencing June 6, 2011 through July 29, 2011.
2. The standard work day during this period will be for 10 hours, from 8:00 a.m. to 6:30 p.m.
3. If an employee that normally works a swing shift or graveyard shift will work a 10-hour day, their workday will start 2 hours earlier so that the ending time of their shift does not change.

4. By the end of the day on May 31, 2011, each SEIU member must inform their first-level manager of the schedule they wish to take during this period. The Office of Human Resources will issue the form on which the member will indicate their work schedule. This schedule will indicate whether the employee is agreeing to work either an 8- or a 10-hour day for each day during the period June 6, 2011 through July 29, 2011. For all days in which the member will work 8 hours, they will also indicate which type of leave they want designate to make up the remaining 2 hours in the workday. During this period, SEIU members will have the following options:
 - A. Work 10 hours per day, Monday through Thursday.
 - B. Work 8 hours per day, Monday through Thursday, and take 8 hours of any combination of the following types of leave:
 - a. Vacation Hours
 - b. Previously earned Comp Time
 - c. Floating Holiday Hours
 - d. Leave without Pay
 - C. Work 8 hours per day, Monday through Thursday, and take the remaining 8 hours off as the Furlough Day for the month of July 2011. (This option is available for one week only in the month of July, 2011.)
5. The regular work schedule will return to a 5-day, 8-hour work day effective Monday, August 1, 2011. Any future proposal for a 4/10 Summer Work Schedule is subject to negotiation between the District and SEIU Local 1021.
6. All employees who work more than 10 hours per day during the 4/10 Summer Work Schedule will be entitled to overtime pay.
7. All work in excess of 10 hours in any 24 hour period shall be paid for at one and one-half (1 ½) times the regular rate for the first 4 hours of such excess and at two (2) times the regular rate for the balance of such excess.
8. Except for health and safety reasons, such as science labs and/or horticultural programs that may require refrigeration, all indoor District facilities including College of Alameda, Berkeley City College, Laney College, Merritt College, and District Office will be closed on Fridays, Saturdays, and Sundays during the 4/10 Summer Work Schedule.

Early Retirement Incentive Program - By execution of this Tentative Agreement, this is to modify the existing collective bargaining agreement between the parties to include the provision for an Early Retirement Incentive Program for the 2010-11 year as outlined in Exhibits A, B and C and incorporated by reference.

The parties agree that all classified and management employees of the District will be provided the same incentive amount (\$300 for every year of service with the District) for the purpose of the early retirement incentive.

The enrollment period for the Early Retirement Incentive Program for the 2011 year agreed upon between the parties will be offered for retirements/resignations submitted by active employees electing to retire by June 30, 2011. The window for enrollment begins Wednesday, May 25,

2011 through June 9, 2011, with an effective retirement date of no earlier than May 25, 2011 and no later than June 30, 2011.

The District will notify employees on June 15, 2011, of its decision to offer the Early Retirement Incentive Program. In the event the District the Board does not authorize the offering of the Early Retirement Incentive Program, employees may rescind, at their election their retirement or resignation.

This Agreement is subject to approval of the SEIU Local 1021 in accordance with its procedures, and, thereafter, to approval of the Peralta Board of Trustees.

All dates and provisions specified in the 2009-2010 and 2010-11 Agreement will be extended to reflect the contract duration for a one-year extension beginning July 1, 2011 and ending June 30, 2012.

Upon expiration of the 2011-2012 Agreement, the terms and conditions of the 2009-2010 Agreement shall continue in effect until a new agreement is adopted.

By: _____ Date: _____
Wise Allen, Chancellor
Peralta Community College District

By: _____ Date: _____
Trudy Largent, J.D.
Vice Chancellor for Human Resources & Employee Relations
Peralta Community College District

By: _____ Date: _____
Nely Obligacion, Chief Negotiator
SEIU Local 1021

By: _____ Date: _____
Abigail Brewer, President
SEIU Local 1021



Announcement of Voluntary Retirement Incentive Program II 2011
May 2011

Exhibit A

Overview

As a The District is offering an retirement incentive payout to potential retirees. Participation is voluntary and subject to PCCD Trustee Board approval. We anticipate **salary savings of approximately \$775,000**. Projected salary savings are based on **15 SEIU Local 1021 active employees electing the incentive after May 25, 2011 and before June 9, 2011**.

Eligibility Criteria

A one-time cash incentive is being offered to current permanent SEIU Local 1021 employees who meet age and service requirements and who are on paid status as of the effective date of their election.

| Affiliation as of 5/25/11 | Age as of Retirement date | Years of Peralta Service Credit as of retirement date | Incentive |
|---------------------------|---------------------------|---|---------------------------|
| SEIU Local 1021 members | 50 | 10 | \$300 per year of service |

Incentive Formula

Multiply years of service by incentive figure to determine the one-time payout figure.

Example

| Employee category (based on permanent job assignment) | Years of service | Incentive Years | Incentive factor | Incentive Payout <ul style="list-style-type: none"> • One time • Taxable • Separate check |
|---|------------------|-----------------|------------------|--|
| SEIU Local 1021 members | 25.10 | 26 | \$300 | 7,500 |

Employees whose primary affiliation with Peralta is in a part-time and/or temporary assignment are ineligible for this program.

- There is no maximum benefit payout.
- We will not prorate years. We will round up your years of service completed as of the effective retirement date. Full year credit will be recognized even for partial years of service.
- Distributions will be paid out within 15 days of the effective retirement date, but not earlier than June 15, 2011.

2011 Timelines

- May 25: Mailing to eligible employees
- May 25: Election window opens. Personal notifications sent to employees.
- June 9: Election Window closes: Incentive Election & Universal Benefits Enrollment forms due back to the Peralta Community College Vice Chancellor of Human Resources, post-marked or hand-delivered.
- June 14: The Chancellor will provide the Board with the number of participants regarding the Early Retirement Incentive Plan.
- June 15: The District will notify employees of the Board's decision regarding offering the Early Retirement Incentive Plan. In the event the Board does not authorize the offering of the Early Retirement Incentive Plan, employees may rescind, at their election, their retirement or resignation.
- June 23: Last date for employees to rescind participation in the Early Retirement Incentive Program
- June 15: Incentive checks distributed, for those with a retirement date on or before June 30, 2011

Election window

Election forms must be received between Wednesday, May 25, 2011 – Thursday, June 9, 2011.

The retirement effective date can be no earlier than May 25, 2011 for SEIU Local 1021 active permanent employees and no later than June 30, 2011 for those electing to participate.

Communications

- Email: Announcement – May 25, 2011 general announcement; weekly thereafter
- Website: Update with election forms and medical plan continuation forms
- Home mailing: Personal home mailing-send certified to home address
Personalized letter including statement of years of service
Election Form (Terms & Conditions), **Exhibit C**
Universal Benefit Enrollment Form
Frequently Asked Questions, **Exhibit B**

**Voluntary Retirement Incentive
2011
District Proposal to Local 1021**



What is the incentive?

- | | |
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| 1. What is the incentive? | For those who meet the age and service credit requirements will receive \$300 for each year of service in a contract position (Part-time, adjunct, temporary service is excluded from the calculation) |
| 2. Who is eligible? | Active Local 1021 full-time regular employees hired before July 1, 2004 and meet the definition of Local 1021 Contract who retire no later than June 30, 2011 and who have <ul style="list-style-type: none"> • reached age 50 and • ten years of service with Peralta in a benefit-eligible position If you meet the above criteria, then you are eligible to receive this incentive provided that you resign or retire no earlier than Monday, May 25, 2011 and no later than Thursday, June 30, 2011. (Part time, temporary employees are not eligible for the incentive) |
| 3. When will I receive the incentive | Within 15 days after your retirement date. |
| 4. How will I receive the payment? | One time payment |
| 5. Can I request another type of distribution option? | No |
| 6. Can defer the distribution into a tax-deferred 403(b) or 457 plan? | Yes- First, check with your tax professional or financial planner. Second, open an account with an approved vendor-if you do not already have an active 403(b) or 457 account. Third, submit a Peralta Salary Reduction Agreement Forms, along with your VERIB Election forms. |

Election Information

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| 7. What forms do I need to complete in order to elect to receive the incentive? | In order to elect to participate in the program and receive the incentive, submit the <ul style="list-style-type: none"> • Voluntary Retirement Incentive Program Agreement • Universal Benefit Enrollment Form |
| 8. When do I need to submit them? | Submit election forms between Wednesday, May 25, 2011 & Thursday, June 9, 2011 |
| 9. Must I elect a retirement or resignation date? | Yes. The effective date must be no earlier than Wednesday, May 25, 2011 and no later than Thursday, June 30, 2011, |
| 10. Where do I submit my election forms? | Vice Chancellor of Human Resources |
| 11. What are the cutoff dates if I want to apply for the incentive? | All requests to retire under the incentive program must be submitted to The Vice Chancellor no later than Wednesday, 4:30pm on June 15, 2011. <u>Verbal notices, faxes and email will not be accepted.</u> |
| 12. Can I change my mind after Board Decision on June 14, 2011? | There is a 10-day rescission period after the Board approves or denies the incentive program. |
| 13. Can I elect to participate after the election window? | No. While you may elect retirement after the election window, the incentive will no longer be offered after the Board of Trustees ratify the plan. |
| 14. May I elect a retirement date outside of the parameters of this program and still qualify for the cash incentive? | No. |

Electing Peralta post- employment Medical / Dental or Annuity Benefits

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|--|---|
| 15. When do benefits as an active employee end? | Benefits as an active employee end at the end of the month in which you retire. Medical: By completing and submitting the Universal Benefit Enrollment form 30 days prior to your retirement, we will ensure seamless transition of your medical benefits into retirement status. Dental: Benefits can continue under COBRA by electing and paying for continuation within 60 days after your retirement. |
| 16. When do I contact Social Security of Medicare? | We suggest that you contact both agencies within 30 - 60 days of your retirement or reaching age 65. By telephone: 1 800 772 1213 By website: www.ssa.gov |
| 17. Is this offer contingent on my concurrent retirement from CalSTRS or CalPERS | No. Peralta does not require that you concurrently apply for CalPERS or CalSTRS retirement. We do encourage you to seek consultation from your financial planner regarding this opportunity and the integration of your post—Peralta income resources. |

EXHIBIT C Voluntary Early Retirement/Resignation Incentive Program Checklist – Terms & Conditions form

| Your action | | | | Why | I understand please initial and date |
|--|-----------------|-------------|--|---|--------------------------------------|
| Peralta Contacts and References | | | | | |
| 1. Contact Human Resources | | | | To correct <i>Date of Hire</i> or <i>Date of Birth</i> used for the incentive | |
| Home Location | HR Contact | Phone (510) | Email | | |
| Laney, BCC Faculty | Denise Fontenot | 466 7292 | dfontenot@peralta.edu | | |
| COA, Merritt District Faculty | Julie Huang | 466 7354 | jhuang@peralta.edu | | |
| District All Classified | Ruby Andrews | 466-7288 | randrews@peralta.edu | | |
| 2. Contact Nancy Pak 466 7386, npak@peralta.edu Human Resources | | | | To complete balance of accumulated sick leave balance, educational leave balance, and last day at work and to complete respective sections of the following forms: <ul style="list-style-type: none"> • CalSTRS Express Benefit Report, Section 2: Employer Information • CalPers Service Retirement Election Application Section 7: Employer Certification | |
| 3. Notify manager or supervisor of retirement/resignation | | | | So that internal personnel action form can be submitted for processing of final pay arrangements can be made for returning office keys, rerouting of voicemail and email coordination | |
| 4. Contact your Office of Instruction | | | | To process leave banking, if applicable | |
| 5. Complete Salary Reduction Agreement form no later than: <ul style="list-style-type: none"> • June 10 to effect June incentive payments | | | | To process a deferral to an established 403(b) or 457 Plan, if applicable | |
| Contact external agencies regarding your transition | | | | | |
| 6. Contact Social Security 800 772 1213- www.ssa.gov | | | | To determine eligibility for Social Security benefits | |
| 7. Contact Medicare 800 633 4227- www.medicare.gov | | | | To apply for Medicare A & B | |
| 8. Seek guidance from a financial planner or tax professional | | | | To weigh options under this incentive program based on your unique circumstances | |
| 9. Meet with applicable retirement plan consultant: <ul style="list-style-type: none"> • CalSTRS 800 228 5453 www.calstrs.com • CalPERS 888 225 7377 www.calpers.ca.gov | | | | To determine options | |
| Coordination of medical/life/dental and other benefits after separation from Peralta employment | | | | | |
| 10. Complete Universal Benefit Enrollment form, if applicable | | | | To ensure proper and timely transition to retirement status | |
| 11. Contact the PCCD Benefits Office at 510 466 7229 for a personal appointment to review forms or email benefits@peralta.edu | | | | | |
| 12. Complete COBRA election form(s) and return them to Benefit Dynamics (election forms are sent from Benefits Dynamics to you within 7-10 days from our receipt of this form), Exhibit C | | | | To ensure continuation of dental insurance and access to the Employee Assistance Program | |
| 13. Complete Life Insurance Conversion Form(s) for continuation of voluntary or District-paid life insurance | | | | To consider life insurance continuation if you are 66 or over at the time of retirement or if you are currently buying additional life insurance through CIGNA via Peralta payroll deduction. | |
| 14. Review Benefits Spotlight September 2010, pages 18-21- Download from http://www.peralta.pswbenefits.net/ | | | | To review: Pre-Retirement Checklist, Post Retirement Checklist, Survivors Checklist, Duration of benefits and medical plan features in effect at the time of your separation | |
| Terms & Conditions | | | | | |
| I understand and agree to these terms and conditions: | | | | | |
| 1. I am accepting this one-time taxable payout of \$_____ based on my ___ years of service which has been rounded up and excludes non-contract service. <i>Initial and date here</i> _____ | | | | | |
| 2. I will retire or resign on _____ which is between _____ & _____. <i>Initial and date here</i> _____ | | | | | |
| 3. This decision is voluntary. <i>Initial and date here</i> _____ | | | | | |
| 4. I understand that I am responsible for returning District property on or prior to my retirement/resignation effective date. <i>Initial and date here</i> _____ | | | | | |
| 5. I understand that I have until Friday, June 24, 2011 to rescind this decision in writing. <i>Initial and date here</i> _____ | | | | | |
| 6. I understand that I am or am not (please circle) eligible for post employment benefits at the time of this action. <i>Initial and date here</i> _____ | | | | | |
| First Name _____ Last Name _____ Unit/Union Affiliation _____ | | | | | |
| Signature _____ | | | | | |
| Benefits Office Signature: | | | | Date: | |
| Rescission: All rescissions must be submitted to Trudy Largent, Vice Chancellor of Human Resources & Employee Relations no later than Thursday, June 23, 2011 | | | | | |
| I am rescinding my election to retire and/or resign | | | | Signature : | Date: |