

**Amendment to
Memorandum of Understanding**

for

**Term and Salaries
January 1, 2009 – December 31, 2013**

between

**THE CITY OF LOS ANGELES,
LOS ANGELES DEPARTMENT OF WATER AND POWER**

and

LOS ANGELES WATER AND POWER DISPATCHERS ASSOCIATION

**LOAD DISPATCHERS UNIT
January 1, 2009 – December 31, 2013**

CONTENTS OF AMENDMENT

This Amendment provides salaries for employees whose classifications are represented by the Los Angeles Water and Power Dispatchers Association, and otherwise amends the 2003-2005 Memorandum of Understanding (herein "MOU"), and the 2006-2008 MOU Amendment, entered into between the City of Los Angeles, Los Angeles Department of Water and Power (herein "LADWP") and the Los Angeles Water and Power Dispatchers Association (herein "Association") for the Load Dispatchers Unit.

The salaries contained herein require approval of the City Council.

Unless noted otherwise, all modifications provided herein shall be effective January 1, 2009. When these modifications are incorporated into the 2003—2005 MOU, and as amended by the 2006—2008 Amendment, the result will be the 2009—2013 Load Dispatchers Unit MOU. All terms of the 2003—2005 MOU and the 2006—2008 Amendment shall remain in effect, except as set forth herein:

ARTICLE 26—TERM

The term of this MOU is five years beginning on January 1, 2009, and ending on December 31, 2013, inclusive.

...

The Parties, during the term of this MOU may mutually agree to consider specific proposals at any time and will meet to discuss proposals regarding a successor MOU beginning no later than October 1, 2013.

ARTICLE 27—SALARIES

27.1—Appendices

- Effective January 1, 2009, the salary ranges in Appendix A-1 shall be increased by a 5.9 percent retroactive Cost-of-Living Adjustment.
- Effective January 1, 2010, in-lieu of a Cost-of-Living Adjustment, a one-time lump sum payment equivalent to 3.25 percent of base wage earned from January 1, 2009 through December 31, 2009 will be paid to eligible employees.

Eligible employees include those that on December 31, 2009, were on active pay status. Active pay status is defined as an employee who is actively working and has time reported as regular, vacation, floating holiday, accumulated overtime used, 5.7A time, 5.7B time, jury service, or military leave. In addition, eligible employees may also include those on

inactive pay status including workers' compensation, sick, disability, permanent total disability, Family Medical Leave Act leave, or on disciplinary suspension on December 31, 2009. "

The one-time payment will be paid to eligible employees as described in Article 28—Scope of Implementation, except when an employee is not on active pay status on December 31, 2009. In the event that an employee is not on active pay status on December 31, 2009, the payment will not be made unless and until the employee returns to active pay status for a minimum of one pay period before December 31, 2013. Any employee who has not returned to active pay status for a minimum of one pay period before December 13, 2013, will not be eligible for the one-time lump sum payment.

- Effective January 1, 2011, salary ranges shall be increased by a percentage equal to the percentage increase in the CPI for Urban Wage Earners and Clerical Workers as measured from August 2009 to August 2010 for U.S. City Average (1982-84=100); provided however, that if the CPI increases less than or equal to two (2) percent, the salary ranges shall be increased by two (2) percent, and if the CPI increases by four (4) percent or more, the salary ranges shall be increased by four (4) percent.

However, if the change in the CPI is negative, then the two (2) percent compensation shall be paid as follows: a one-time lump sum payment equivalent to one (1) percent of the base wage earned from January 1, 2010 through December 31, 2010 will be paid to eligible employees and one (1) percent Cost-of-Living Adjustment shall be added to base wage.

Eligible employees include those that on December 31, 2010, were on active pay status. Active pay status is defined as an employee who is actively working and has time reported as regular, vacation, floating holiday, accumulated overtime used, 5.7A time, 5.7B time, jury service, or military leave. In addition, eligible employees may also include those on inactive pay status including workers' compensation, sick, disability, permanent total disability, Family Medical Leave Act leave, or on disciplinary suspension on December 31, 2010. In the event that an employee is not on active pay status on December 31, 2010, the payment will not be made unless and until the employee returns to active pay status for a full pay period before December 13, 2013. Any employee who has not returned to active pay status for a minimum of one pay period before December 31, 2013, will not be eligible for the one-time lump sum payment.

- Effective January 1, 2012 and January 1, 2013 salary ranges shall be increased by a percentage equal to the percentage increase in the CPI for Urban Wage Earners and Clerical Workers as measured from August 2009 to August 2010 for U.S. City Average (1982-84=100); provided however, that if the CPI increases less than or equal to two (2) percent, the salary ranges shall be increased by two (2) percent, and if the CPI increases by four (4) percent or more, the salary ranges shall be increased by four (4) percent.

ARTICLE 28—SCOPE OF IMPLEMENTATION

This Amendment constitutes a joint recommendation of the City of Los Angeles, Los Angeles Department of Water and Power and the Los Angeles Water and Power Dispatchers Association and shall not become binding in whole or in part, unless and until all of the following have occurred:

- The Association has notified the Board of Water and Power Commissioners (herein "Board") that this Amendment was ratified in its entirety by the Association's membership, as evidenced by the Association's authorized representative affixing his or her signature hereto; and
- The Board has, by adoption of an appropriate Resolution, notified the Association that this Amendment is approved in its entirety by the LADWP for implementation, as evidenced by the General Manager affixing his signature hereto; and
- The Los Angeles City Council has taken appropriate action approving and setting salaries specified above.

Upon Council approval, the 2003-2005 Load Dispatchers Unit MOU, as amended in 2006-2008, together with this current Amendment shall constitute the January 1, 2009 through December 31, 2013 Load Dispatchers Unit MOU.

Correction

The City Controller and the General Manager of the Los Angeles Department of Water and Power are hereby authorized to correct any technical or clerical errors in the Amendment.

IN WITNESS WHEREOF, the Parties hereto have caused their duly authorized representatives to execute this Load Dispatchers Unit MOU on this _____ day of _____, 2009 to be effective as provided herein.

Los Angeles Water and Power
Dispatchers Association
Representative

City of Los Angeles
Representative

Michael D. Haroldson
President

J. Aguirre
Interim General Manager
Los Angeles Department of Water and Power

Date: 11/25/09

Date: 12-4-09

APPROVED AS TO FORM AND LEGALITY
CARMEN A. TRUTANICH, CITY ATTORNEY

DEC 04 2009
BY Wendy K Genz
WENDY K. GENZ
DEPUTY CITY ATTORNEY