

ADMINISTRATIVE AGREEMENT

by and between

MUNICIPALITY OF ANCHORAGE

AND

INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 302

Subject: Paid Parental Leave

AA # 2024-02

This Agreement is between the Municipality of Anchorage (MOA) and the International Union of Operating Engineers, Local (302). The MOA and 302 are parties to the Collective Bargaining Agreement in effect as of July 26, 2022. The parties wish to amend the language in the CBA as outlined below.

Effective upon Assembly approval of this Agreement, the language in Article 4 shall be amended as outlined below.

Article 4.3 Paid and Unpaid Time Off

The Municipality will provide eligible employees with reasonable periods of paid time off in accordance with the accrual schedules for annual and sick leave. Additionally, employees will be eligible for specified periods of paid time off for military duty, court duty, paid parental leave, and bereavement leave for members of their immediate family. Under the conditions specified in this article, the Municipality may approve periods of unpaid time off to allow employees to meet personal, family, or medical needs. Temporary and seasonal employees are not eligible for cashable leave under any articles of this agreement.

Article 4.3.1 Accrual of Annual Leave

B. Annual Leave Accrual While on Leave

Leave accrues during the period of time an employee is on paid leave. Leave does not accrue during periods of Workers' Compensation time loss benefits, paid parental leave or leave without pay.

Article 4.13 Paid Parental Leave (PPL) – Effective the first full month following Assembly approval. PPL will not be retroactive prior to the first of the month following approval.

A. Paid parental leave shall mean an award of non-cashable leave as described below and is intended to allow parents to bond with and care for a new child.

B. Award. Upon request, eligible employees shall be awarded 160 hours of non-cashable leave for regular full time eligible employees who have been approved for leave under the Alaska Family Leave Act (AFLA) or the Family Medical Leave Act of 1993 (FMLA) for a qualifying event of the birth of an employee's child or children, or placement of a child or children with the employee for adoption or foster care. Eligible employees who work less than full time will be eligible for a pro rated amount of leave based on their normal hours worked.

C. Rules for use.

1. Use in conjunction with AFLA or FMLA leave. Paid parental leave must be taken during approved AFLA or FMLA leave. Any paid parental leave taken will be counted toward the 18 weeks of protected leave per rolling 12-month period available to employees under AFLA or the twelve weeks of protected leave per rolling twelve-month period available to employees under FMLA.

2. Use in weekly blocks; use in coordination with other leave; unused paid parental leave; leave accrual during use. Employees must take paid parental leave in weekly blocks (40 hours over the course of a single work week or, for eligible employees who work less than full time, one-fourth of the amount of leave available to them under section A.) and must use all paid parental leave during approved AFLA or FMLA leave for the qualifying event. Any unused paid parental leave will be forfeited at the end of the approved AFLA or FMLA leave period. Employees that are awarded non-cashable leave under subsection A. will not accrue leave or sick leave while on paid parental leave. Paid parental leave does not count towards minimum leave usage.

3. One award per rolling 12-month period; to eligible employees. In no case will an employee receive more than one award of 160 hours of non-cashable (or the prorated amount for employees that work less than full time) leave as paid parental leave in a rolling 12-month period, regardless of whether more than one birth, adoption, foster care placement, or other qualifying event occurs within that twelve-month time frame. The birth or placement of more than one child at the same time will be treated as one qualifying event for which an employee will receive a total of 160 hours (or the prorated portion of hours for employees that work less than full time). If two eligible employees experience the same qualifying event, both employees may take parental leave.

Article 4.144.13 Unauthorized Absences

Pursuant to AMC 3.70.130 D., each and every collective bargaining contract, Agreement, modification, written interpretation, or other change, alteration or amendment, no matter how denominated, shall include a summary of requirements and remedial provisions, and the certification under oath or affirmation by each duly authorized representative signing in behalf of a party. The duly authorized representatives, on behalf of the parties to this Agreement, hereby affirm and certify as follows:

- A. This Agreement complies with Anchorage Municipal Code section 3.70.130.
- B. Section 3.70.130 requires Assembly approval of all modifications and amendments, no matter how denominated.
- C. Absent Assembly approval as required by section 3.70.130, any modification or amendment, no matter how denominated, shall be deemed null and void, and any payments made shall be recoverable by the Municipality.
- D. Absent Assembly approval as required by section 3.70.130, written clarifications and interpretations within the definition of "administrative letter" are invalid.
- E. Section 3.70.010 prohibits the use of administrative letters to vary the explicit terms of a labor Agreement.
- F. Intentional actions in violation of section 3.70.130 are subject to fines and penalties under section 1.45.010.
- G. Remedial actions: in the event the provisions of section 3.70.130 are violated by administrative action, any labor Agreement, Agreement, modification, written interpretation, or other change, alteration or amendment, no matter how denominated, shall be null and void with no force or effect.

IN WITNESS WHEREOF, this Agreement is entered into freely and voluntarily by the signatures of the parties below.

AGREED TO AND SIGNED FOR BY:

LOCAL 302

MUNICIPALITY OF ANCHORAGE



Bill Sims 6/21/2024
Business Rep Date



Raylene Griffith 6/28/24
Labor Relations Director Date