

**THIS PRINT COVERS CALENDAR ITEM NO. : 10.5**

**SAN FRANCISCO  
MUNICIPAL TRANSPORTATION AGENCY**

**DIVISION:** Human Resources

**BRIEF DESCRIPTION:**

Amend Transport Workers Union (TWU) Local 200 Memorandum of Understanding (MOU) to change the definition of seniority for certain 9153 Transportation Controllers who were formerly 9150 Train Controllers at the SFMTA.

**SUMMARY:**

- In order to maintain the highly complex operational workflows in the newly-online Transit Management Center and to retain the customary work and shift bid seniority, the SFMTA and TWU Local 200 agree to amend the MOU, for the purpose of work and shift bid seniority, to define seniority for Classification 9153 Transportation Controllers who transferred from positions in Classification 9150 Train Controller based on the start work date in the Classification 9150 Train Controller position (i.e. the first day the employee reported to work as a Classification 9150 Train Controller).
- The 9153 Transportation Controller is a newly-created classification and includes staff transferring from the 9150 Train Controller classification in addition to applicants who apply directly into the 9153 Transportation Controller classification.
- Seniority for all other Classification 9153 Transportation Controllers for the purpose of work and shift bid shall be in accordance with the existing MOU seniority provisions.

**ENCLOSURES:**


1. SFMTAB Resolution

**APPROVALS:**

**DATE**

DIRECTOR 

4/25/2018

SECRETARY 

4/24/2018

**ASSIGNED SFMTAB CALENDAR DATE:** May 1, 2018

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**PURPOSE**

To approve the proposed change to the MOU between TWU Local 200 and the SFMTA, regarding shift bid seniority for the determination of work location, hours, and days off for the 9153 Transportation Controllers.

**STRATEGIC PLAN GOALS AND TRANSIT FIRST POLICY PRINCIPLES**

Strategic Plan Goals:

4. Create a workplace that delivers outstanding service. By honoring traditional seniority and reporting relationships, the Agency ensures continuity in service provision at the newly-launched TMC,

Transit First Policy Principles:

1. To ensure quality of life and economic health in San Francisco, the primary objective of the transportation system must be the safe and efficient movement of people and goods.
2. Public transit, including taxis and vanpools, is an economically and environmentally sound alternative to transportation by individual automobiles. Within San Francisco, travel by public transit, by bicycle and on foot must be an attractive alternative to travel by private automobile
8. New transportation investment should be allocated to meet the demand for public transit generated by new public and private commercial and residential developments.

**DESCRIPTION**

In order to maintain the highly complex operational workflows in the newly-launched Transit Management Center (TMC) and to retain the customary work and shift bid seniority regarding how work location, hours, and days off are assigned, TWU Local 200 and the SFMTA have agreed to the following MOU amendment, to establish seniority for the purpose of work and shift bidding for employees who transfer to Classification 9153 Transportation Controller positions from Classification 9150 Train Controller positions:

**II.H. SENIORITY**

149. Seniority, for the purpose of this Article, is defined as the length of continuous service determined from the day of certification to a permanent position in a classification as described in Article I.A., **except as provided for in paragraphs 149.A and B, below.**

**149.A. For purposes of this Article, seniority in Classification 9153 Transportation Controller for employees who transferred from positions in Classification 9150 Train Controller is determined by the start work date in the Classification 9150 Train Controller position (i.e. the first date the employee reported to work as a Classification 9150 Train Controller).**

**149.B. Seniority for employees hired directly into Classification 9153 Transportation Controller shall be calculated in accordance with Paragraph 149.**

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## **STAKEHOLDER ENGAGEMENT**

The Agency met and conferred on several occasions with the Transport Workers Union, Local 200 bargaining unit for service-critical classifications at the SFMTA about the effects of this mutually-agreed to amendment to the parties' MOU.

## **ALTERNATIVES CONSIDERED**

The alternative to this MOU amendment is to retain the current MOU definition of seniority as the date of certification to a permanent position in TWU Local 200. However, due to the movements between classifications, including but not limited to different appointment types such as Permanent-Exempt, Permanent Civil Service, and Temporary-Exempt, the Agency and Union endeavor to retain the customary assignment practices and reporting relationships familiar to these 9150 Train Controller and 9153 Transportation Controller Classifications.

## **FUNDING IMPACT**

None.

## **ENVIRONMENTAL REVIEW**

On February 23, 2018, the SFMTA, under authority delegated by the Planning Department, determined that the amendment to TWU Local 200 MOU's seniority section as contained in the proposed MOU amendment is not defined as a "project" under the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations Sections 15060(c) and 15378(b).

A copy of the CEQA determination is on file with the Secretary to the SFMTA Board of Directors and is incorporated herein by reference.

## **OTHER APPROVALS RECEIVED OR STILL REQUIRED**

The City Attorney has reviewed this report. As required by Charter Section 8A.104.(r), at a duly noticed public hearing of the SFMTA Board on April 3, 2018, the SFMTA disclosed in writing the contents of this tentative agreement, a comparison of the differences between the agreement reached and the prior agreement, an analysis of all costs for each year of the term of such agreement, and whether funds are available to cover these costs.

## **RECOMMENDATION**

The SFMTA Board of Directors approve the amendment to the MOU between SFMTA and TWU Local 200 to modify the seniority provisions for Classification 9153 Transportation Controllers who transferred to that Classification from positions in Classification 9150 Train Controller.

SAN FRANCISCO  
MUNICIPAL TRANSPORTATION AGENCY  
BOARD OF DIRECTORS

RESOLUTION No. \_\_\_\_\_

WHEREAS, In order to maintain the highly complex operational workflows in the newly-online Transportation Management Center; and,

WHEREAS, To retain the customary work and shift bid seniority in Classification 9153 Transportation Controller as it existed in Classification 9150 Train Controller; and,

WHEREAS, To amend the MOU to establish seniority for employees who transferred to Classification 9153 Transportation Controller from Classification 9150 Train Controller, for the purpose of work and shift bidding, based on an employee's start work date in the Classification 9150 Train Controller position; and

WHEREAS, Seniority for all other Classification 9153 Transportation Controllers for the purpose of work and shift bid shall be in accordance with the existing MOU seniority provisions; and,

WHEREAS, As required by Charter Section 8A.104.(r), the SFMTA disclosed in writing the contents of this tentative agreement at a duly noticed meeting of the SFMTA Board on April 3, 2018; and,

WHEREAS, On February 23, the SFMTA, under authority delegated by the Planning Department, determined that the amendment to MOU seniority as contained in the proposed MOU amendment is not defined as a "project" under the California Environmental Quality Act (CEQA) pursuant Title 14 of the California Code of Regulations Sections 15060(c) and 15378(b); and,

WHEREAS, A copy of the CEQA determination is on file with the Secretary to the SFMTA Board of Directors, and is incorporated herein by reference; now, therefore, be it

RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors approves an amendment to the Memorandum of Understanding between the San Francisco Municipal Transportation Agency and the Transport Workers Union, Local 200 to modify the seniority provisions for Classification 9153 Transportation Controllers who transferred to that classification from positions in Classification 9150 Train Controller.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of May 1, 2018.

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Secretary to the Board of Directors  
San Francisco Municipal Transportation Agency