

**BOARD OF PORT COMMISSIONERS
CITY OF OAKLAND**

5/25/2023
Item No.: 6.3(A)
DSC/pcm

MCP

**ORDINANCE AMENDING SECTION 2.01 OF PORT ORDINANCE
NO. 867 RATIFYING AND SETTING THE COMPENSATION OF
EMPLOYEES OF THE PORT DEPARTMENT REPRESENTED BY
SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 1021
AND AMENDING SECTION 1.191 PROVIDING PROFESSIONAL
DEVELOPMENT BENEFITS FOR CERTAIN EMPLOYEES.**

WHEREAS, the Board of Port Commissioners of the City of Oakland ("Board") has reviewed and evaluated the Agenda Report for Agenda Item 6.3 dated May 25, 2023 ("Agenda Report") and related materials, has received the expert testimony of Port of Oakland ("Port") staff, and has provided opportunities for and taken public comment; and

WHEREAS, the Port and the Service Employees International Union, Local 1021 ("SEIU") reached agreement on a comprehensive "Joint Recommendation for Settlement" dated April 4, 2023 regarding the terms and conditions of employment for a memorandum of understanding ("MOU") to succeed the 2018-2022 MOU; and

WHEREAS, in acting upon the matters contained herein, the Board has exercised its independent judgment based on substantial evidence in the record and adopts and relies upon the facts, data, analysis, findings, and conditions set forth in the Agenda report and in related materials and in testimony received; now therefore

BE IT ORDAINED by the Board of Port Commissioners of the City of Oakland as follows:

Section 1. The proposed action is not subject to the California Environmental Quality Act ("CEQA") under Section 15378(b)(5) of the CEQA Guidelines because, as an organizational or administrative activity of government that will not result in direct or indirect physical changes in the environment, it is not a "project" under CEQA.

Section 2. The salary schedules set forth in Section 2.01 of Port Ordinance No. 867 for employees of the Port Department belonging to Service Employees International Union, Local 1021 ("SEIU") (Employee Representation Units A and B) shall be and the same are hereby amended by increasing the rates of compensation (base wages) set forth on said salary schedules by an additional five percent (5%) effective, and retroactive to, the first day of the pay period containing July 1, 2022 (only active employees will qualify for any retroactive payment).

Section 3. The salary schedules set forth in Section 2.01 of Port Ordinance No. 867 for employees of the Port Department belonging to SEIU (Employee Representation Units A and B) shall be and the same are hereby amended by increasing the rates of compensation (base wages) set forth on said salary schedules by an additional five percent (5%) effective the first day of the pay period containing July 1, 2023.

Section 4. The salary schedules set forth in Section 2.01 of Port Ordinance No. 867 for employees of the Port Department belonging to SEIU (Employee Representation Units A and B) shall be and the same are hereby amended by increasing the rates of compensation (base wages) set forth on said salary schedules by an additional two percent (2%) effective the first day of the pay period containing July 1, 2024.

Section 5. The salary schedules set forth in Section 2.01 of Port Ordinance No. 867 for employees of the Port Department belonging to SEIU (Employee Representation Units A and B) shall be and the same are hereby amended by increasing the rates of compensation (base wages) set forth on said salary schedules by an additional two and one-half percent (2.5%) effective the first day of the pay period containing January 1, 2025.

Section 6. Section 1.191 of Port Ordinance No. 867 shall be amended to delete the existing Subsection 1 and to replace it with the following:

"Section 1.191. Professional Development.

1. Permanent employees in the Port Department belonging to SEIU (Employee Representation Units A and B) shall be eligible for reimbursement for expenses incurred for professional development, subject to budget approval of same by the Board, not to exceed \$600 for the fiscal years 2022-2023, 2023-2024, 2024-2025, and 2025-2026 subject to the exceptions and provisions set forth in Section 3 below."

Section 7. This Ordinance shall take effect on the date of its final adoption; provided, however, that if a petition protesting the adoption of this Ordinance is timely and duly submitted to the elections official of the City of Oakland in the manner required under California Elections Code Section 9237, the effective date of this Ordinance shall be suspended, and all actions authorized by this Ordinance shall be null and void.

President.

Attest: _____
Secretary.

Approved as to form and legality:

Port Attorney