



OFFICE OF THE CITY ATTORNEY  
Long Beach, California

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December 9, 2014

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

RECOMMENDATION:

Recommendation to adopt resolution repealing Resolution No. RES-09-0042 and restoring terms and conditions of employment for the affected employees of the IAM prior to the passing of RES-09-0042. (Citywide)


DISCUSSION

The attached resolution is presented pursuant to a Public Employment Relations Board (PERB) ruling in favor of the International Association of Machinists (IAM), where, among other things, the City is required to rescind Resolution No. RES-09-0042 and reimburse the affected IAM employees for the furlough days taken.

SUGGESTED ACTION:

Approve recommendation.

CHARLES PARKIN, City Attorney

By   
GARY J. ANDERSON  
Deputy City Attorney

GJA:kjm  
Attachment  
A14-02436

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF LONG BEACH REPEALING RESOLUTION NO.  
RES-09-0042 AND RESTORING TERMS AND  
CONDITIONS OF EMPLOYMENT FOR THE AFFECTED  
EMPLOYEES OF THE IAM PRIOR TO THE PASSING OF  
RES-09-0042

WHEREAS, on May 5, 2009, the City of Long Beach adopted Resolution  
No. RES-09-0042, in which the City imposed a mandatory unpaid work furlough  
equivalent to 1.92 percent of salaries (40 hours for regular, full-time employees) for  
permanent employees; and

WHEREAS, the International Association of Machinists ("IAM") filed an  
Unfair Practice Charge with the Public Employment Relations Board ("PERB")  
challenging the City's imposition of mandatory furloughs; and

WHEREAS, PERB ruled in favor of the IAM and against the City on the  
grounds that the furloughs were unilaterally imposed without meeting and conferring with  
the IAM in good faith; and

WHEREAS, PERB, among other things, ordered the City to reimburse the  
affected IAM employees and to rescind Resolution No. RES 09-0042; and

WHEREAS, the City appealed PERB's ruling to the California Court of  
Appeal and the Appellate Court concurred with PERB; and

NOW, THEREFORE, the City Council of the City of Long Beach resolves as  
follows:

Section 1. Resolution No. RES-09-0042 is hereby repealed.

Section 2. This resolution shall take effect immediately upon its adoption by  
the City Council, and the City Clerk shall certify the vote adopting this resolution.

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

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I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of \_\_\_\_\_, 2014 by the following vote:

Ayes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Noes: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

Absent: Councilmembers: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
City Clerk