

RESOLUTION NO. 5040

A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS LOCAL 513, AND DECLARING THAT THIS RESOLUTION SHALL BE IN FULL FORCE IMMEDIATELY.

WHEREAS, The City and International Association of Fire Fighters Local 513 entered into negotiations to develop clarity regarding the application of the Fair Labor Standards Act as it relates to a labor agreement between the parties that expires April 30, 2019; and,

WHEREAS, A tentative agreement has reached between International Association of Fire Fighters Local 513 and the City on language that clarifies the application of the Fair Labor Standards Act; and,

WHEREAS, The membership of International Association of Fire Fighters Local 513 has voted to ratify such agreement reached between the parties at a meeting held March 6th, 2017; and,

WHEREAS, The City Council finds it to be in the best interest of the City of Kewanee and public safety to execute a Memorandum of Understanding with International Association of Fire Fighters Local 513, said memorandum attached hereto as Attachment A.

**THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF KEWANEE THAT:**

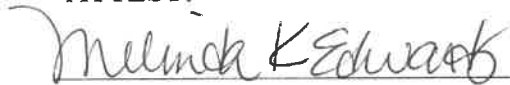
**Section 1** Attachment A to this resolution containing the Memorandum of Understanding between the City of Kewanee and International Association of Fire Fighters Local 513 for the labor agreement expiring April 30, 2019, is hereby approved.

**Section 2** The City Manager is hereby authorized to execute said labor agreement referenced in Section 1 above.

**Section 3** This Resolution shall be in full force and effect immediately upon its passage and approval as provided by law.

Adopted by the Council of the City of Kewanee, Illinois this 13<sup>th</sup> day of March 2017.

ATTEST:

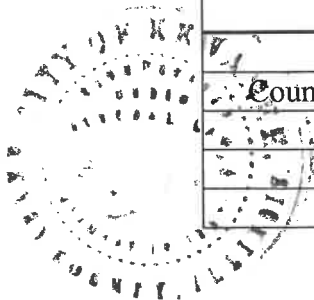


Melinda Edwards, City Clerk



Steve Looney, Mayor

RECORD OF THE VOTE	Yes	No	Abstain	Absent
Mayor Steve Looney	X			
Council Member Kellie Wallace-McKenna	X			
Council Member Deann Schweitzer	X			
Council Member Andrew Koehler	X			
Council Member Michael Yaklich				X



**MEMORANDUM OF UNDERSTANDING: FLSA Hours and Shift Staffing**

Between Kewanee Firefighters IAFF Local 513  
and  
The City of Kewanee

This memorandum confirms that Kewanee Firefighters IAFF Local 513 (“Union”) and the City of Kewanee (“City”) have reached the following understanding with respect to regular and overtime hours worked under the terms of the 2016-2019 collective bargaining agreement and Kewanee fire department minimum shift staffing dated March 7, 2017.

For the duration of the 2016-2019 collective bargaining agreement, the Union acknowledges the City will follow the Fair Labor Standards Act (FLSA) by excluding sick leave, vacation leave, Kelly days, sick/injury leave, personal leave, bereavement leave, and any unpaid leaves of absence from regular hours worked for the purposes of calculating overtime hours under the collective bargaining agreement. During the term of this MOU, the Union will not advance any grievances related to overtime inconsistent with this understanding.

The City will hire three additional bargaining unit members, bringing the total number of bargaining unit members to 18 (6 bargaining unit members per 24-hour shift) and will make all reasonable efforts to fill vacancies during the term of the 2016-2019 collective bargaining agreement, ensuring at least 5 bargaining unit members on duty per 24-hour shift.

The Union and the City agree that this Memorandum of Understanding will not be used or cited by either party in any subsequent arbitration or judicial action. The parties’ signatures below confirm these understandings.

Kewanee Firefighters IAFF Local 513 (Union)

City of Kewanee (City)