

LOCAL AGREEMENT - ALTERNATIVE WORK PATTERNS (FLEXIBLE TIME - NON-STANDARD WORK WEEK)

This is a Local Agreement regarding alternative work pattern scheduling between Local 2748, WSEU, AFSCME Council 24 (hereinafter the Local) and the Department of Workforce Development (hereinafter the Employer).

It is the intent and purpose of the parties hereto that this agreement constitutes an implementation of the provisions of Article VI of the agreement between the State of Wisconsin and AFSCME Council 24, Wisconsin State Employees Union, AFL-CIO effective through June 2009 (hereinafter Master Agreement), consistent with the contractual authority therein.

The parties acknowledge that the agreement represents an amicable understanding reached by the parties as a result of the unlimited right and opportunity of the parties to make any and all demands with respect to the employer-employee relationship which exists between them relative to the subjects identified in the Master Agreement.

Nothing in this Local Agreement shall be construed to override any contractual provision in the Master Agreement unless specifically allowed by the terms of the Master Agreement.

Pursuant to and incorporating the provisions of Article 6, Section 17 of the Master agreement, the parties have agreed to the following:

1. The Local and the Employer agree to follow the general policy on work hours enumerated in Section 429 of the DWD Policy Manual.
2. Where alternative work patterns are implemented within individual offices, work units and/or work sites, the designated Management Representative(s) must negotiate such plans with the designated Local Union Representative(s). Alternative work schedule options are not to be made available to employees unless provided for in a duly negotiated plan. If no alternative work pattern agreement exists in an office/unit, employees of that office shall not either collectively or selectively be permitted to work any alternative work schedule.
3. If mutual agreement cannot initially be reached between the Employer and the Local, the following procedure should be followed to resolve the impasse:

1st step: If requested by the Local, the Division Administrator or his/her designee meets with the Union Representative(s) and attempts to work out a solution to the impasse. If there is no action or a satisfactory solution arrived at within 20 working days, the matter may be referred to the 2nd step. Note:

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This step may be bypassed if the Division Administrator in effect functioned as the designated Management Representative during the initial local negotiation phase.

2nd step: If requested by the Local, the DWD Secretary or his/her designee meets with the Division Administrator and the Union Representative(s) to work out a solution between the two parties. There are 15 working days to resolve the problem. The Secretary's decision at this step represents the Employer's final position.

(The time period at either of the steps may be extended by mutual agreement of both parties.)

4. If impasse still exists at the conclusion of the procedure described in #3 above, final impasse will be declared; however, the Local may agree to a temporary implementation of Management's last offer in order to preserve some alternative work pattern options under Article 6/15/3 of the Master Agreement, until such time as resolution is reached via other available contractual resolution procedures.
5. Management will only suspend a local alternative work pattern agreement based on demonstrable operational needs. Such a suspension shall occur only after DWD Human Resource Services has been provided with advance notice of and rationale for the intended suspension and after Human Resource Services has had the opportunity to discuss the intended suspension with the appropriate Local Union President(s).
6. Individual alternative work pattern schedules shall not produce an overtime obligation for the department.

This Local Agreement shall take effect upon the signature of all parties and shall expire upon the termination of the 2007-2009 Master Agreement unless extended by agreement between representatives of AFSCME Council 24, WSEU and the State of Wisconsin, represented by the Office of State Employment Relations. Upon termination, all obligations are automatically cancelled.

The parties may by mutual agreement amend or add to this agreement during its term. All addenda to this agreement shall be signed and ratified by the parties and shall be incorporated herein as though originally negotiated by the parties as a provision of this agreement, except that addenda may not take effect until the date they are signed by the parties.

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The parties, whose signatures appear below, have the authority to bind the Employer and the Local Union to the terms and conditions of this Local Agreement.

For the Local:

Paul A. Kops 1-13-09
Date

For the Department:

Lynne Arnold 1/9/09
Date

Date