

MEMORANDUM OF UNDERSTANDING
CLARIFYING THE COLLECTIVE-BARGAINING AGREEMENTS IN RELATION TO
LEAVE BALANCE TRANSFER

This Memorandum of Understanding is entered into this 15th day of August, 2008 between the City of Miami ("City") and the Miami General Employees American Federation of State, County, and Municipal Employees, Local 1907, AFL-CIO ("AFSCME- General") and the Florida Public Employees Council 79, AFSCME, AFL-CIO, Local 871 ("AFSCME-Solid Waste").

WHEREAS, Section 40-266 of the City of Miami Code provides for the transfer of an employee's leave time balance to the GESE Retirement Trust; and

WHEREAS, Articles 37 (Vacation), 39 (Sick Leave), 51 (Leave Balance Payoffs) and 52 (Pension) of the collective-bargaining-agreement between the City and AFSCME-General provide for payment of leave upon normal retirement/DROP; and

WHEREAS, Articles 22 (Vacation Scheduling/Carry-Over), 30 (Sick Leave) and 42 (Pension) of the collective-bargaining-agreement between the City and AFSCME-Solid Waste provide for payment of leave upon normal retirement/DROP;

THEREFORE, based on the aforementioned articles of the collective-bargaining-agreements between the City and AFSCME-General and AFSCME-Solid Waste the following is hereby clarified:

1. Vacation and any other type of leave balances (except sick leave outlined below) may be transferred from the employee's leave time balance to the GESE Retirement Trust (regardless of the number of hours in the employee's leave balance);
2. Sick leave balances may be transferred from the employee's leave time balance to the GESE Retirement Trust as follows:
 - (a) Sick leave balances shall only be transferable once (one time)(regardless of the number of hours in the employee's leave balance);
 - (b) The maximum sick leave transfer is 750 hours at 100% and any hours above 750 to be transferred at 50%; and
 - (c) An employee electing to transfer sick leave time balance to the GESE Retirement Trust shall cause the employee's sick leave balance to be zero. Sick leave balance will then start to accumulate in accordance with the respective collective-bargaining-agreement and will be paid out at 50% upon separation of service.

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Rosalie Mark
Rosalie Mark, Director
Department of Employee Relations
City of Miami

8/15/08
Date

Charlie Cox
Charlie Cox, President
AFSCME-General

1/11/08
Date

Joe Simmons Jr.
Joe Simmons, President
AFSCME-Solid Waste

8-15-08
Date