

MEMORANDUM OF UNDERSTANDING
RESOLUTION OF GRIEVANCE FILED NOVEMBER 28, 2018

WHEREAS, International Union of Operating Engineers, IUOE Local No. 70, is the certified exclusive representative for Non-Certified Custodial, Secretarial, Educational Assistants and Food Service Employees of the Verndale Independent School District No. 818.

WHEREAS, There exists a Labor Agreement between ISD No. 818 and with IUOE, said Labor Agreement in effect from July 1, 2017 through June 31, 2019.

WHEREAS, A grievance was filed November 28, 2018 pertaining to issues related to payment of accumulated and unused vacation, personal leave and upon termination of employment.

WHEREAS, To date, ISD No. 818 has alleged that the grievance is not proper and is without legal basis and has continued to deny the grievance.

WHEREAS, It is the intent of the parties that this Memorandum of Understanding completely resolve any and all outstanding issues pertaining to the pending grievance and that the Memorandum of Understanding apply only to former ISD No. 818 employee Barbara Brown and not to any other members of this bargaining unit.

WHEREAS, This Memorandum of Understanding is not an admission by either side as to the strength or correctness of their respective positions related to this grievance.

WHEREAS, It is the understanding of both sides that this Memorandum of Understanding, which is intended to resolve the issues of the parties, is not considered to be a past practice, cannot be considered to be evidence in any future issues pertaining to the parties, and cannot be used as evidence in any court or arbitration proceeding. This Memorandum of Understanding does not prohibit IUOE or ISD No. 818 from taking any particular position in contract negotiations.

BE IT HEREBY RESOLVED, That the parties agree to the following:

Payment will be made to Barbara Brown for a percentage of accumulated and unused leave benefits in the amount of \$1,500.00 as wages, subject to normal and customary payroll taxation. Payment will be made during next payroll on March 29, 2019.

ISD No. 818

By _____

Date _____

Barbara Brown

By Barbara Brown

Date March 20, 2019

IUOE on behalf of its members

By Wade N. Cef

Date 3/20/19