

A RESOLUTION

**Proposed
Resolution
20-327**

**Emergency
Declaration
Res. 20-261
20 DCStat 2126**

**Washington
Teachers'
Union
Voluntary
Employee
Beneficiary
Association
Fund
Emergency
Approval
Resolution of
2013**

To approve, on an emergency basis, a Memorandum of Agreement which modifies the 2007-2012 Collective Bargaining Agreement between the District of Columbia Public Schools and the Washington Teachers' Union, Local 6.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Washington Teachers' Union Voluntary Employee Beneficiary Association Fund Emergency Approval Resolution of 2013".

Sec. 2. (a) Pursuant to section 1717(j) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code 1-617.17(j)), the Council approves the Washington Teachers' Union Voluntary Employee Beneficiary Association Fund, which was transmitted to the Council by the Mayor on June 6, 2013.

(b) This resolution applies to bargaining unit employees represented by the Washington Teachers' Union, Local 6 ("WTU") and employed by the District of Columbia Public Schools ("DCPS").

(c) The Memorandum of Agreement, which amends the collective bargaining agreement between WTU and DCPS by funding the Washington Teachers' Union Voluntary Employee Beneficiary Association Fund, provides as follows:

Section 1: Overview

- 1.1 The District of Columbia Public Schools (DCPS) and the Washington Teachers Union, Local #6 (WTU) hereby enter into this Memorandum of Agreement (MOA), modifying, and adding to, certain terms of the 2007-2012 Collective Bargaining Agreement (CBA) between them.
- 1.2 This MOA addresses only the terms of Section 4.5.5.3.2 of the parties' 2007-2012 CBA, which shall be modified as follows:
 - 4.5.5.3.2 – Option 2: Supplemental Unemployment Benefits
 - 4.5.5.3.2.1 – Starting in FY 2013 for WTU members excessed in the spring of 2012, and for each of the following five successive school years thereafter including FY 2018, excessed permanent status Teachers with twenty (20) or more years of service shall have the option of receiving Supplemental Unemployment Benefits (Option 2 Supplemental Unemployment Benefits) in accordance with the governing documents of a Voluntary Beneficiary Association established, operated and administered by the WTU (WTU

VEBA) in accordance with Section 501(c)(9) of the Internal Revenue Code.

- 4.5.5.3.2.2 An excessed permanent status Teacher who opts for Option 2 Supplemental Unemployment Benefits shall not be eligible for re-employment with DCPS.
- 4.5.5.3.2.3 This option shall only be available to permanent status Teachers whose most recent evaluations was “Effective” or higher.

Section 2: DCPS Commitments

2.1 DCPS agrees to contribute \$1.7 million dollars annually (through FY 18) from its budget to the Washington Teachers’ Union Voluntary Employees’ Beneficiary Association (WTU VEBA) to be utilized in accordance with the governing documents of the WTU VEBA.

2.2 DCPS agrees to permit the WTU to notify and select the bargaining unit members who shall receive the Option 2 Supplemental Unemployment Benefits from the WTU VEBA.

Section 3: WTU Commitments

3.1 The WTU agrees to affirm that DCPS is in full compliance with its obligations pertaining to funding Option 2.

3.2 The WTU agrees to relinquish any claim to Option 2 funding for Teachers excessed prior to Spring of 2012.

Section 4: Limiting Scope

This memorandum is limited in its application to the conditions described herein and does not otherwise alter, amend or modify the rights, obligations, or practices of the parties described in the 2007-2012 collective bargaining agreement.

Sec. 3. Transmittal.

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Washington Teachers’ Union and to the Mayor.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

COUNCIL OF THE DISTRICT OF COLUMBIA
D.C. Resolution 20-262, effective July 10, 2013

20 DCSTAT 2129

Sec. 5. Effective date.

This resolution shall take effect immediately.