

ORDINANCE #68596
Board Bill No. 277
Committee Substitute

An ordinance pertaining to procedures for negotiating memoranda of understanding for public employees; amending Section Seven of Ordinance 62234, approved March 8, 1991, containing a severability clause and an emergency clause.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. Section Seven of Ordinance 62234, approved March 8, 1991, is hereby amended to read as follows:

SECTION SEVEN.

(A) In the process of meeting, conferring and discussing in good faith salaries and other conditions of employment of City employees, the Director of Personnel and a representative appointed by the mayor and approved by a majority vote of the three members of the Board of Estimate and Apportionment (Estimate and Apportionment's Designee) and the exclusive bargaining representative(s), shall engage in discussions for the purpose of reducing the results of the bargaining process to a written memorandum of understanding.

(B) All of the terms agreed upon between the City and the exclusive bargaining representatives shall meet the requirements of federal, state and city law and shall be included in written memoranda of understanding to be signed by the Estimate and Apportionment's Designee and the exclusive bargaining representative(s). Said memoranda of understanding shall be submitted to the Director of Personnel and the Civil Service Commission for their use and preparation of the Compensation Plan. A memorandum of understanding shall include a non-discrimination clause in accordance with Section Five and Section Six above. If arbitration is permitted by state law, a provision for arbitration may be included in a memorandum of understanding.

(C) In the case of negotiations for a new memorandum of understanding, either party may seek negotiations of the agreement 180 days prior to the expiration date of the current memorandum of understanding. The Director of Personnel and the Estimate and Apportionment's Designee and the exclusive bargaining representative shall make themselves available at reasonable times and places for good faith conferences.

SECTION TWO. Severability Clause. The provisions of this ordinance shall be severable. In the event that any provision of this ordinance is found by a court of competent jurisdiction to be unconstitutional, the remaining provisions of this ordinance are valid unless the court finds the valid provisions of this ordinance are so essentially and inseparably connected with, and so dependent upon, the void provision that it cannot be presumed that the Board of Aldermen would have enacted the valid provisions without the void ones or unless the Court finds that the valid provisions, standing alone, are incomplete and incapable of being executed in accordance with the legislative intent.

SECTION THREE. Emergency Clause. This being an ordinance for the preservation of public peace, health and safety, it is hereby declared to be an emergency measure within the meanings of Sections 19 and 20 of article IV of the Charter of the City of St. Louis and therefore shall become effective immediately upon its passage and approval by the Mayor.

SECTION FOUR. Sunset Provision. The provisions of this ordinance shall terminate four (4) years following its effective date.

Approved: March 16, 2010