

### Memorandum of Understanding

Between City of Tipp City, Ohio,  
AFSMCE Ohio Council 8, and  
AFSCME Local 2982 – Tipp City

#### On Call List and Use of Personal Cell Phone

The following Sections are in dispute regarding when call in pay is required to be paid to the employee.

**Section 16.2.** If the Employer determines it is necessary to have one (1) or more bargaining unit member(s) be on-call during non-working hours in order to facilitate the calling in of persons to work, the employee(s) designated to do so shall be required to carry a pager or telephone. The designated employee(s) shall keep the pager or cell phone (personal or City issued) with him at all times. The employee will remain in an area where he can be paged or phoned and where he is able to report for work within a reasonable response time. The Employer has the discretion to excuse employees who report late, if they can prove the lateness was caused by circumstances beyond their control.

**Section 16.3.** An employee(s) designated to carry a pager or cell phone shall do so on a weekly basis, beginning at 7:30 a.m. on Monday and ending at 7:29 a.m. the following Monday. Other weekly periods may be used if agreed to by the Employer and the Union.

If the employee chooses to be contacted via their personal cell phone this does not obligate the Employer to compensate an employee for any cell phone charges related to the same. It is further understood that it is managements right to provide a call in list and determine it duration and in the future provide a city issued cell phone.

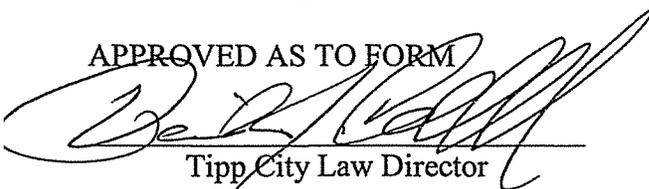
Employees required to be on-call and carry a pager or phone, shall receive an additional compensation of \$3.00 per hour for all hours worked for the entire week they are required to be on-call. The compensation shall be payable with wages for the pay period in which the end of the week (as defined in this section) falls.

This MOU will expire at the end of the current contact.

FOR THE CITY OF TIPP CITY

  
s/s Timothy J. Eggleston, City Manager

APPROVED AS TO FORM

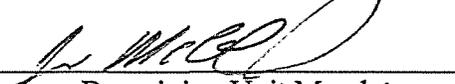
  
Tipp City Law Director

APPROVED AS TO CONTENT

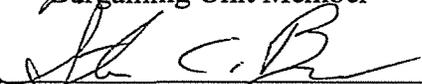
  
s/s John J. Krock  
Labor Relations Consultant  
Clemans, Nelson, & Associates  
{3/15/2016 LUTPCCI 00168376.DOCX }

FOR AFSCME

  
Stephen Keeney, Staff Representative

  
Bargaining Unit Member

  
Bargaining Unit Member

  
Bargaining Unit Member

Date Signed: 5/3/16

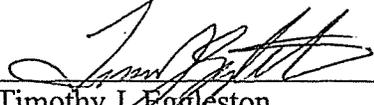
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AFSCME Local 2982 – Tipp City

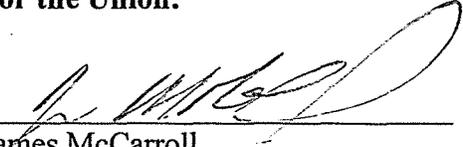
### Streets Department - Overtime List Operation

- 1.) When the City switches the employees of the Streets Department from an On-Call List to an Overtime List, these rules shall govern the operation of the Overtime List.
- 2.) The Overtime List shall be populated by all Streets Department employees who agree to be put on the voluntary Overtime List, in reverse order of their most recent week as the on-call person on the On-Call list (i.e., the employee who was most recently on-call will go to the bottom of the Overtime List, then the next most recently on-call employee will go above the first employee, and so on until the list is complete).
- 3.) The Overtime List shall be rotated each Monday morning by taking the name from the top of the list and moving it to the bottom of the list.
- 4.) If the City determines that overtime work is necessary, it will call the first name on the list and continue down the list until enough employees have agreed to come in.
- 5.) The City shall notify the Union each September, setting out which months and/or weeks over the next year the City intends to use the On-Call List, and which months the City intends to use the Overtime List.
- 6.) These rules are supplemental to the Contract and do not change any of its terms.

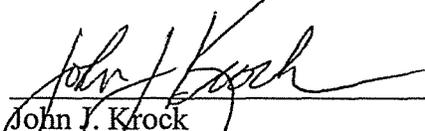
**For the City:**

  
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Timothy J. Eggleston  
City Manager 5/3/11

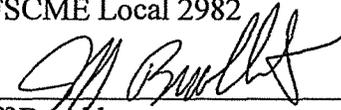
**For the Union:**

  
\_\_\_\_\_  
James McCarroll  
President  
AFSMCE Local 2982

  
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Tipp City Law Director

  
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John J. Krock  
Labor Relations Consultant  
Clemans, Nelson, & Associates

  
\_\_\_\_\_  
Steven Bond  
Vice President  
AFSCME Local 2982

  
\_\_\_\_\_  
Jeff Brookhart  
Steward (Streets)  
AFSCME Local 2982

  
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Stephen Keeney  
Staff Representative  
AFSCME Council 8