

Memorandum of Understanding

By and Between

City of Lakewood

And

Washington State Council of County and City Employees, Council 2

AFSCME – AFL-CIO

Local #1938

Re: Addressing Position Status Discrepancy During 2025-2026 Biennium

This Memorandum of Understanding (MOU) is by and between the City of Lakewood (City) and WSCCCE Council 2 Local #1938 (Union), herein referred to as “the Parties.”

Background: With the publication of the City of Lakewood 2025-2026 Biennial Budget, Human Resources became aware of a discrepancy in the status of three City positions, including two in the Planning and Public Works Department (PPW), and one in the Parks, Recreation, and Community Services Department (PRCS). The positions were identified in the budget as Limited Term/Regular with End Date, while Human Resources records reflected them as Regular Full-time positions. The positions, departments, and employees holding those positions are:

- Code Compliance/Safety Inspector - PPW– Dan Urquhart
- Program Coordinator (RHSP/Abatement) -PPW – Heather Holverstott
- Parks Development Project Manager (PRCS) – Stacey Reding

This discrepancy is the result of an unfortunate misunderstanding about the positions’ status between the impacted Departments, City Manager, and Human Resources when positions were created, changed, or reclassified. The status of the positions as Regular Full-time was communicated to Stacey Reding and Heather Holverstott, and Dan Urquhart was hired into a position that was posted as Regular Full-time.

The primary distinction between Regular and Limited Term/Regular with End Date positions, aside from the obvious anticipated duration and the ability to fund the positions with one-time monies, is that in a layoff situation, employees in Regular positions have the ability to exercise any bumping rights which may exist under the collective bargaining agreement, while employees in Limited Term/Regular with End Date positions do not; the elimination of Limited Term/Regular with End Date positions is not considered a layoff triggering those provisions. While no layoffs in these impacted positions are anticipated in the 2025-2026 biennium budget cycle, the City recognizes that there is the possibility of a negative impact to these employees as a result of the change in position status, and understands the concerns the impacted employees may have as a result.

Agreement:

To address the position status discrepancy, the parties agree as follows:

- In the unlikely event that the positions identified above are subject to layoff during the 2025-2026 biennium, the employee in the position subject to layoff shall be afforded the protections that would otherwise exist if the employee were in a Regular position, including exercising any available bumping rights.
- This MOU shall not establish precedent for the parties hereto, nor for any other collective bargaining units or departments of the City.
- This MOU shall become effective upon the signing of all listed parties below.
- This MOU shall expire at the end of the 2025-2026 biennium or when the Limited Term/Regular with End Date positions identified in this agreement are changed to Regular Full-time or Regular Part-time Status, whichever comes first, unless extended by the parties in writing.

Signed at Lakewood, Washington on the date(s) set forth below each party's signature.

City of Lakewood

John J. Caulfield
John J. Caulfield (Jan 27, 2025 13:21 PST)

01/27/2025

John J. Caulfield, City Manager Date

WSCCCE Local 1938

Tyler Wells
Tyler Wells (Jan 27, 2025 14:15 PST)

01/27/2025

Tyler Wells, Local 1938 President Date

Tim Binschus

01/27/2025

Tim Binschus, Council 2 Staff Representative Date

ATTEST:

B. Schumacher

01/27/2025

Briana Schumacher, City Clerk Date

APPROVED AS TO FORM:

Heidi Ann Wachter

1/27/2025

Heidi Ann Wachter, City Attorney Date