



**Department of Labor Relations
City of New Haven
Inter Office Memo**

To: Distribution List
From: Emmet P. Hibson, Jr., Director of Labor Relations 
Date: September 15, 2006 
Subject: Stipulation re: Pay Differential for Local 3144

Attached please find a copy of the above referenced stipulation, which was recently amended and signed by the parties. Please note that this stipulation replaces the current one, which was signed in May of 1994. The amended stipulation allows the Director of Labor Relations to not only address work being done in a higher classification, but also addresses and allows for a differential to be paid when, in the discretion of the Labor Relations Director, an employee assumes additional duties of a job that is not necessarily in a higher classification/range.

Please note that the procedure for requesting a pay differential for an employee remains the same. Specifically, Department Heads must forward a pay differential request to the office of Labor Relations for approval.

Please feel free to contact me should you have any questions regarding this matter.

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Sheila Allen Bell, CSA
Tina Burgett, Director of Human Resources
Renee Coppola, Registrar of Vital Statistics
C.J. Cuticello, Tax Office
Terry Dinnean, Assessor
Karen Dubois-Walton, Chief of Staff
Michelle Duprey, Disability Services
Walter Esdaile, Development Administrator
Kelly Murphy, Economic Development Administrator
Karyn Gilvarg, City Plan
Chief Michael Grant, Fire Services
Nichole Jefferson, Executive Director for Commission on Equal Opportunities
Robert Levine, Director of Parks, Recreation & Trees/Interim Director of Public Works
Albert Lucas, Legislative Services
Andrea Lobo-Wadley, Board of Education (Personnel/LR)
Richard Miller, City Engineer
Chief Francisco Ortiz, Police Services
Michael Piasecki, Police Services
Mark Pietrosimone, Controller
Jennifer Pugh, Acting CAO
William P. Quinn, Director of Health

**Department of Labor Relations
City of New Haven**

InterOffice Memo

To: Coordinators, Department Heads and Division Heads
From: Emmet P. Hibson, Jr., Director of Labor Relations *Emmet Hibson Jr*
Date: April 21, 2008
Subject: Memorandum of Understanding re: Definition of Acting Pay & Differential Pay

Please be advised that Local 3144 and I have negotiated specific definitions for the pay status of "acting pay" versus a "pay differential" as outlined in the attached Memorandum of Understanding. Please be aware of these definitions when requesting a change in pay status for your employees.

We appreciate your cooperation and assistance in this matter. Please feel free to call me at x. 7151 should you have any questions.

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Andrew Rizzo, Director, LCI
Darcey Lynn Cobbs, Director of Elderly Services
John Ward, Corporation Counsel
James C. Welbourne, City Librarian
Michael Piscitelli, Director of Traffic & Parking
Barbara Lamb, Director of Cultural Affairs
Otis Johnson, Director of Fair Rent
David Ambrose, Assessor
Renee Coppola, Vital Statistics
CJ Cuticello, Tax Collector
Jerome Sagnella, Payroll/Pension

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Andrew Rizzo, Director, LCI
Jerry Sagnella, Payroll Supervisor
Darcey Cobbs, Director of Elderly Services
Ron Smith, City Clerk
Thomas W. Ude, Corporation Counsel
James C. Welbourne, City Librarian
Paul Wessel, Director of Traffic & Parking

Larry Amendola, President Local 3144

City of New Haven
And
Local 3144, Council 4,
AFSCME, AFL-CIO

RE: Pay Differential

September 13, 2006

STIPULATION

The City of New Haven (hereinafter referred to as the "City") and Local 3144, Council 4 AFSCME, AFL-CIO (hereinafter referred to as "Local 3144") hereby agree to the following Stipulation, which shall establish a pay differential for Local 3144 bargaining unit members who are directed by the City to temporarily assume, on a full-time basis, major portions of the essential duties of a higher level classification within the bargaining unit. In instances where the Department Head requests a differential for individuals whose jobs are in the same range, the Director of Labor Relations shall have the authority to grant the request based upon a review of the job description and when such review determines that the individual is assuming additional supervision responsibilities and/or duties of a higher complexity than their current job description requires. In no case shall an individual be entitled to a differential when performing work in a lower range.

- 1) When performing the above said duties of a higher classification such employee shall receive either the exact difference between his/her regular hourly rate of pay and the other classification's regular hourly rate of pay or a flat hourly rate of pay differential of \$3.00 per hour, whichever is less.
- 2) Any pay differential shall be paid only for the hours actually worked in the higher classification.
- 3) The employee's Department Head shall send a letter to the Department of Labor Relations requesting the pay differential after said employee has actually performed the above said duties of a higher level classification for at least ten (10) consecutive working days. (A pay differential shall not be paid until such duties have been performed for this time period of two (2) weeks.)
- 4) No pay differential shall be paid until it is approved, in writing, by the Director of Labor Relations or his/her designee. Any denial of a pay differential shall go straight into arbitration in accordance with the time limits outlined in Article 22, Grievance Procedure, Section 5 of the Local 3144 Collective Bargaining Agreement, except that no such arbitration shall be processed unless it is approved by the Local 3144 Executive Board, said approval to be given to the Director of Labor Relations or his/her designee in writing.

In witness whereof, the parties have caused their names to be signed on this 13th day of September 2006.

City of New Haven

Local 3144, Council 4, AFSCME, AFL-CIO

By: Emmet P. Hibson, Jr.
Director of Labor Relations

By: Larry Amendola
President

City of New Haven
And

Local 3144, Council 4,
AFSCME, AFL-CIO

**RE: Memorandum of Understanding
Definitions of Acting Pay & Differential
Pay**

April 16, 2008

MEMORANDUM OF UNDERSTANDING

The City of New Haven and Local 3144, AFSCME, AFL-CIO have met regarding the issue of an employee being temporarily assigned to a job outside of his/her current classification. The determination between whether an assignment would require either acting pay or a pay differential has been discussed and the following definitions have been discussed and agreed to by the parties:

Acting Pay:

An employee who is assigned to act "in the capacity of" someone in a higher classification shall receive either the salary of the position for which they are acting, or another sum to be negotiated between the appointing authority and the employee/union. The employee, in essence, abandons his or her position to assume the full-time duties and responsibilities of the acting position. All benefits (holiday pay, sick pay, etc.) are paid at the rate of the acting salary. Acting pay may only be conferred by the Mayor or requested by a Coordinator. In the case of a Coordinator requesting acting pay the request must be approved by Labor Relations and signed by both the Union and Labor Relations.

The only positions which a Coordinator may request Acting Pay are as follows:

Registrar of Vital Statistics;
Tax Collector;
Director (head) of IT;
Scaler of Weights and Measures;
Purchasing Agent;
Payroll and Pension Supervisor;
Chief Accountant;
Deputy CAO.

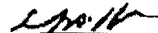
Differential Pay:

An employee who temporarily assumes additional duties of another position, in addition to continuing their own duties and responsibilities, would receive a pay differential. The amount of the pay differential is dictated by the hourly rate and is outlined in the September 13, 2006 stipulation (attached hereto for reference). A pay differential request would be forwarded by the Department Head to Labor Relations for approval prior to implementation. The pay differential is paid only for hours actually worked, and any time off (vacation, holiday, sick pay) is paid at the employee's regular salary.

City of New Haven

Local 3144, Council 4, AFSCME, AFL-CIO

By:



Emmet P. Hibson, Jr.
Director of Labor Relations

By:



Mary Amabile
President