

MEMORANDUM OF UNDERSTANDING  
BETWEEN THE CITY OF RAPID CITY AND  
LOCAL 1031, COUNCIL 59, AMERICAN FEDERATION OF STATE, COUNTY AND  
MUNICIPAL EMPLOYEES

WHEREAS, Article 16.01(j), Personal holiday, of the collective bargaining 2006-2009 Agreement between the City of Rapid City, hereinafter "City" and Local 1031, Council 59, AFSCME AFL-CIO (General), hereinafter "AFSCME" provides employees covered by the agreement with one personal holiday per calendar year; and

WHEREAS, employees of the Material Recovery Facility, Landfill, and Collection Divisions of the Public Works Department regularly work the Friday after Thanksgiving; and

WHEREAS, the City and AFSCME have entered into an MOU to provide an additional personal holiday for employees who work in the Material Recovery Facility, and the Landfill and Collection Divisions; and

WHEREAS, the City and AFSCME are in agreement that the previously adopted MOU should be altered.

NOW THEREFORE, BE IT AGREED by the City of Rapid City and Local 1031, Council 59 American Federation of State County and Municipal Employees (General) that the previous MOU regarding an additional personal holiday for employees who work in the Material Recovery Facility and the Landfill and Collection Divisions is void and is replaced by this MOU.

BE IT FURTHER AGREED by the City of Rapid City and Local 1031, Council 59 American Federation of State County and Municipal Employees that notwithstanding Article 16.01(j), employees of the Material Recovery Facility, Landfill and Collections Divisions of the Public Works Department shall receive an additional personal holiday subject to the following conditions:

1. The employee must actively work the Friday after Thanksgiving before earning the additional personal holiday. **For purposes of this MOU, "actively work" means that the employee is either present and working, or the employee uses annual leave, or the employee uses a previously earned personal holiday;** and
2. The additional personal holiday may not be used by the employee until it is earned.

3. The employee must use the earned personal holiday within 12 months or it shall be forfeited.

Signed this \_\_\_\_ day of \_\_\_\_\_, 2006

LOCAL 1031, COUNCIL 59, AMERICAN  
FEDERATION OF STATE, COUNTY, AND  
MUNICIPAL EMPLOYEES AFL-CIO

CITY OF RAPID CITY,  
A Municipal Corporation

\_\_\_\_\_  
Lynn Stather, AFSCME President

\_\_\_\_\_  
James Shaw, Mayor

\_\_\_\_\_  
Ritchie Nordstrom, AFSCME Chief Steward

ATTEST:

\_\_\_\_\_  
James F. Preston, Finance Officer  
(SEAL)