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159 THORNDIKE STREET, CAMBRIDGE, MASSACHUSETTS 02141

October 15, 2019

TO THE HONORABLE MEMBERS OF THE SCHOOL COMMITTEE:

Approval of Agreement between the Cambridge School Committee and the American Federation of State, County and Municipal Employees, AFL-CIO, Council 93, Local 1611 Regarding Resolution of Case No. MUP-18-6793 pending before the Massachusetts Department of Labor Relations

Recommendation: That the School Committee approves the Agreement between the Cambridge School Committee and the American Federation of State, County and Municipal Employees, AFL-CIO, Council 93, Local 1611 as detailed in the attached agreement.

Description: This Agreement addresses the resolution of the Local 1611's action pending before the Massachusetts Department of Labor Relations entitled Case No. MUP-18-6793.

Supporting Data: Attached is the Settlement Agreement between the Cambridge School Committee and American Federation of State, County and Municipal Employees, AFL-CIO, Council 93, Local 1611.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "KS", written over a faint circular stamp.

Kenneth N. Salim, Ed.D.  
Superintendent of Schools

**SETTLEMENT AGREEMENT  
BETWEEN  
THE CAMBRIDGE SCHOOL COMMITTEE  
AND  
THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL  
EMPLOYEES, AFL-CIO, COUNCIL 93, LOCAL 1611**

This Settlement Agreement is entered into between the Cambridge School Committee (“Committee”) and the American Federation of State, County and Municipal Employees, AFL-CIO, Council 93, Local 1611 (“Local 1611”) as a resolution of the Local 1611’s Grievance dated June 18, 2018 and as a resolution of the Local 1611’s action pending before the Massachusetts Department of Labor Relations entitled AFSCME Council 93, AFL-CIO v. Cambridge School Committee, Case No. MUP-18-6793;

WHEREAS, the Local 1611 filed a grievance dated June 18, 2018 and an action against the Cambridge School Committee at the Massachusetts Department of Labor Relations on behalf of its members alleging a violation of M.G.L.c. 150E, §10(a)(1) and §10(a)(5);

WHEREAS the Local 1611 and the Committee have met in an effort to resolve this grievance at Level III of the grievance and the action pending before the Massachusetts Department of Labor Relations;

NOW THEREFORE, in consideration of mutual promises and covenants, the receipt and sufficiency of which are hereby acknowledged, the Local 1611 and the Committee hereby agree to settle these matters as follows:

1. Simultaneously with the execution of this Agreement, the Local 1611 agrees to withdraw, with prejudice, grievance dated June 18, 2018.
2. Simultaneously with the execution of this Agreement, the Local 1611 agrees to dismiss, with prejudice, the action pending before the Massachusetts Department of Labor Relations entitled AFSCME Council 93, AFL-CIO v. Cambridge School Committee, Case No. MUP-18-6793.
3. Local 1611 agrees that it shall not make any other claim against the Committee, the City or its employees related to the issues settled in this Agreement.
4. The parties acknowledge that the Cambridge Public Schools is in the process of entering into a contract for the current fiscal year with a third party to provide custodial and cleaning services at the Gately Youth Center, 70 Rindge Avenue, Cambridge, Massachusetts to clean the gym and related areas at the end of the school day after it is finished being used by students at the Peabody Elementary School/Rindge Avenue Upper School hybrid school building. It is anticipated that this contract will be in place within sixty (60) days of the execution of this Agreement. The parties further agree that sixty (60) days after this agreement is

in place, the custodians that are assigned to the Peabody Elementary School/Rindge Avenue Upper School hybrid school building will no longer be required to clean the gym and related areas at the Gately Youth Center after it is finished being used by students at the Peabody Elementary School/Rindge Avenue Upper School hybrid school building.

- 5. The Local 1611 acknowledges and agrees that the Committee has the right to contract with third parties to clean the gym at the Gately Youth Center on days when school is in session after the gym has finished being used by students at the Peabody Elementary School/Rindge Avenue Upper School hybrid school Building; and that such contracting or subcontracting does not constitute a violation of the collective bargaining agreement between the Committee and Local 1611 as currently and then in effect and that no grievances, arbitrations or unfair labor practices will be filed with respect to any such arrangements.
- 6. The parties further acknowledge and agree that this Agreement does not alter impact or otherwise change the management rights of the Committee.

WHEREFORE, the Local 1611 and the Committee have caused this Agreement to be executed by their duly authorized representatives this \_\_\_\_ of September 2019.

  
 \_\_\_\_\_  
 For the Local 1611

\_\_\_\_\_  
 For the Committee

\_\_\_\_\_  
 Order No.                      Date

CITY OF CAMBRIDGE

\_\_\_\_\_  
 Louis A. DePasquale  
 City Manager

Approved as to form:

\_\_\_\_\_  
 Nancy E. Glowa  
 City Solicitor