

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

AFSCME TENTATIVE AGREEMENT

CONDITIONAL LUMP SUM PAYMENTS

April 7, 2016

The San Francisco Bay Area Rapid Transit District ("BART") and the American Federation of State, County and Municipal Employees Local 3993 ("AFSCME") have negotiated and reached a tentative agreement on this provision of the Collective Bargaining Agreement ("CBA"). No tentative agreement shall be a final agreement except as a part of a total package agreement between the parties. All parties agree that final approval of the tentative collective bargaining agreement is subject to ratification by AFSCME membership and the BART Board of Directors.

The parties agree to revise Section 47.9 as follows:

47.9 CONDITIONAL LUMP SUM PAYMENTS

If all criteria set forth herein are met and no extraordinary unplanned expenses as set forth herein have occurred, then during each fiscal year of the term of this Agreement, the District shall pay each AFSCME represented employee on active and paid status at the time of the payment a lump sum payment which shall be calculated as set forth below but which shall not exceed one thousand dollars (\$1,000) in any fiscal year. These calculations shall be made at the conclusion of each fiscal year and will be based on the data available on that date. Payment shall be made within sixty (60) days of the date of the calculation.

1. Criteria for Lump Sum Payment

Each one (1) percent increase in actual Core System annual average weekday ridership growth over the District's Short Range Transit Plan (SRTP) projected growth as specified in May 2013 SRTP for Fiscal Years 2013 – 2017 and the Adopted SRTP Oct. 2014 for Fiscal Years 2018 – 2021 shall result in a lump sum payment of five hundred dollars (\$500) up to a maximum of one thousand dollars (\$1,000) subject to the following limitations:

a. Specific Increased Expenses

Determine whether the following specific District expenses have increased greater than stated:

- District's Employer PERS miscellaneous pension contribution rates increased by more than sixteen percent (16%);

- Health Insurance premiums, as reported by CalPERS and measured by the simple average of the annual percent change in the Blue Shield Access+ and Kaiser premiums, required by Section 33 of this Agreement increased by more than ten percent (10%).

If either of the increases listed above are exceeded then no lump sum payment will be made.

b. Extraordinary, Unplanned Expenses

The District shall determine whether an extraordinary, unbudgeted, and unanticipated expense exceeding two and five tenths percent (2.5%) of the District's adopted operating expense budget occurred. In the event that such an extraordinary, unbudgeted and unanticipated expense outside of the control of the District has occurred the District shall have no obligation to make a lump sum payment.

*** Minute Clarification**

* The Parties understand that the Core System excludes various extension projects. Under the terms of the operating agreement governing the San Francisco Airport Extension, the Oakland Airport Connector and the VTA/BART Silicon Valley Berryessa Extension, BART fare revenue generated by rides using those extensions is dedicated to those extension projects.

* The Parties further understand the eligibility for the conditional lump sum is limited to those "AFSCME represented employees on active and paid status," which includes those employees on leave status at the time of payment, so long as they have worked at least one day during the fiscal year.

* The conditional lump sum payment provision above is based on the following ridership projections. BART's Short Range Transit Plan ("SRTP") Financial Model: Ridership Estimates projects the following ridership and related revenues:


Short Range Transit Plan
Average Weekday –
Core System

	FY13	FY14	FY15	FY16	FY17
Average Weekday Ridership Core System	346,869	356,443	357,615	365,498	368,960
% Growth over Prior Year		2.760%	0.329%	2.204%	0.947%

SRTP Adopted Oct. 2014
Average Weekday –
Core System

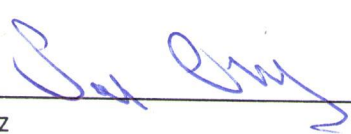
	<u>FY18</u>	<u>FY19</u>	<u>FY20</u>	<u>FY21</u>	
<u>Average Weekday</u> <u>Ridership Core System</u>	<u>378,380</u>	<u>387,990</u>	<u>395,940</u>	<u>402,314</u>	
<u>% Growth over Prior Year</u>	<u>2.6%</u>	<u>2.5%</u>	<u>2.0%</u>	<u>1.6%</u>	

For the District




Grace Crunican
General Manager

For AFSCME

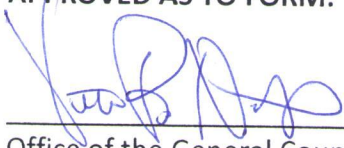


Sal Cruz
President



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APPROVED AS TO FORM:



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