

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

AFSCME

TENTATIVE AGREEMENT – RETIREMENT BENEFITS

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 amend Section 39 A as follows:

39 RETIREMENT BENEFITS

A. The District shall continue its present participation in the Public Employees’ Retirement System (PERS) for miscellaneous members at existing levels. ~~In the event that during the term of the Agreement represented employees at BART are subject to PERA, the Parties shall bargain over PEPRAs effects and implementation.~~

The Parties agree that no later than thirty (30) days following a final ruling in *State of California v DOL*, the Parties shall commence bargaining regarding the provisions of section 25 and any other applicable contract provision related to pension contributions.

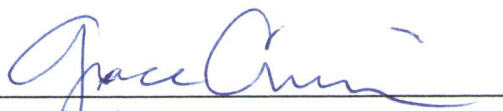
After January 1, 2018 and upon request of any party, the parties agree to bifurcate the issues reflected in pending pension-related grievances and endeavor to reach agreement related to employee pension contributions.

The Parties agree that any resolution shall be cost neutral to all parties. The negotiations shall not result in an increase in the employer paid member contribution as described in section 25. Any agreement described above shall immediately toll the District’s prospective liability with respect to the dispute over employee contributions reflected in the grievances. All bargaining shall be conducted based upon the District’s obligations under State and Federal law.

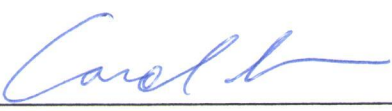
In the event that the Parties are unable to reach agreement within six (6) months of the commencement of bargaining, unresolved issues shall be put to interest arbitration for a final and binding decision.

Nothing in this Agreement is intended to modify or compromise the position of any party to this Agreement in relation to the pending litigation referenced above.

FOR THE DISTRICT

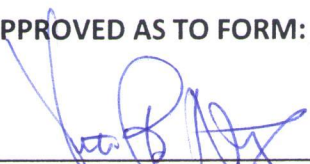


Grace Crunican
General Manager



Carol Isen
Chief Labor Relations Officer

APPROVED AS TO FORM:



Office of the General Counsel
by Victoria R. Nuetzel

FOR AFSCME



Sal Cruz
President