



**OFFICE OF THE INSPECTOR GENERAL**  
*City of Chicago*



***REPORT OF THE INSPECTOR GENERAL'S OFFICE:***

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***REVIEW OF THE EFFICIENCY OF THE JOB DUTIES OF MOTOR  
TRUCK DRIVERS***

**MARCH 2011**

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March 30, 2011

To the Mayor, Members of the City Council, the City Clerk, the City Treasurer, and the residents of the City of Chicago:

Today the IGO published a report of findings regarding the efficiency of the City's use of Motor Truck Drivers (MTDs) in multiple departments across the City. This review was prompted by a string of observations by IGO staff and complaints from City residents of City employees seen idling at jobsites for extended stretches of time. The observations fit a long-existing stereotype of City workers that, in most respects, is unfair. The work of City government generally would never get done without the dedication and diligence of thousands of City employees. However, in conducting a systematic review of the City's use of MTDs, we found that many MTDs spend much of their day sitting idle. The prevailing stereotype would have it that these workers were wrongfully loafing on the taxpayer dime when they should have been actively engaged in work. Our review revealed that these idle workers were not technically doing anything wrong; remarkably, they were completely fulfilling their defined job duties.

The review found that approximately 200 MTD positions across multiple City departments are unnecessary to regular City operations. Eliminating these positions would save the City approximately \$18 million this year. However, the City is effectively compelled to continue this practice because of an overly restrictive Collective Bargaining Agreement (CBA) with the Teamsters Union, which represents the City's MTDs. Some management level personnel we spoke with as part of our review acknowledge this wasteful overstaffing,

The review includes a recommendation that the City Council and Mayor consider amendments to existing and future CBAs. Among the suggestions is an ordinance that would limit the duration of a collective bargaining agreement to no more than four years – a timespan equal to the term of Mayor and the City Council. The Teamsters contract that is the focus of this review is but one of more than 30 CBAs ratified in 2007 that run through June 2017. Thus, at a moment when outgoing and incoming City leaders, as well as the general public, have come to general agreement that the City must immediately address a structural deficit in excess of \$1 billion dollars, the City is bound to CBAs that restrict the very managerial rights needed to foster innovation in the delivery of public services.

There is no question that this review highlights a tough problem, but its inherent difficulty shouldn't preclude stakeholders from searching for possible solutions.

I would like to thank my staff for their hard work on this report. It is the product of the combined effort from our Program & Policy Review, Legal, and Investigation Sections. This

collaborative interdisciplinary undertaking reflects the direction I intend to take future reports and reviews – legal expertise, investigative experience, and policy critiques teaming up for a balanced, accurate, and thoughtful final product that can be used to help solve problems in City operations.

Additionally, it bears particular mention that this report was made possible by the extensive cooperation we received from many City departments, which provided data, information, and candid insights.

The IGO is mandated with detecting and preventing “misconduct, inefficiency and waste within the programs and operations of the City government.” This review is our first attempt in doing so through the analysis of the efficiency of the job duties of City employees. However, it will not be the last. City residents deserve the efficient and effective delivery of City services; managers deserve the ability to adjust these services to address the needs of the City; and City employees deserve to know that their job fulfills an important public service.

As always, I welcome ideas on how we can improve the efficiency and delivery of City services.

Respectfully,

A handwritten signature in black ink, appearing to read 'J. Ferguson', with a large, stylized initial 'J'.

Joseph M. Ferguson  
Inspector General  
City of Chicago

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## EXECUTIVE SUMMARY

### **A. Background**

In the summer of 2010, several employees of the Inspector General's Office (IGO) observed a City vehicle containing two City workers pull up outside of the building housing the IGO's office. A painter got out of the passenger seat and painted the curb and fire hydrant located outside the building, while the vehicle's driver sat in the driver's seat, never leaving the vehicle and not assisting in the work being performed by the painter. After the painting was complete, the painter returned to the vehicle and the two workers drove away.

Witnessing this event prompted the IGO to consider whether the City is using Motor Truck Drivers (MTDs) efficiently. In this instance, the driver of the vehicle seemed to perform a needless, duplicative role, as the painter could easily drive him/herself from jobsite to jobsite. The City therefore appeared to have doubled its labor costs for what appeared to be a simple, commonplace job. The IGO's belief that this event reflected a broader problem was reinforced by recurring complaints the IGO has received since 2006 about City truck drivers loafing or sleeping on the job. In response to the event described above and these recurring complaints, the IGO conducted a review of the efficiency of the City's use of MTDs across all City departments.<sup>1</sup>

This review focuses on the efficiency of the job duties of MTDs, on the premise that an efficient use of an MTD is having him/her perform job duties that cannot easily be incorporated into another employee's responsibilities. The review was only concerned with whether the assignment of MTDs and the division of labor between MTDs and the other City employees they work with is efficient in relation to that underlying premise. It does not examine whether the underlying operation was efficient even though we may have elsewhere questioned (and continue to question) the overall efficiency of certain of the operations.<sup>2</sup>

The resulting department-by-department analysis is based on interviews with personnel in each of the nine departments listed below and documents provided by the departments detailing the responsibilities and duties of the MTDs they employ. Pertinent documents used in the review are

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<sup>1</sup> The IGO is charged by ordinance "To promote economy, efficiency, effectiveness and integrity in the administration of the programs and operations of the city government by reviewing programs, identifying any inefficiencies, waste and potential for misconduct therein, and recommending to the mayor and the city council policies and methods for the elimination of inefficiencies and waste, and the prevention of misconduct." City of Chicago. Municipal Code. Section 2-56-030(c) (American Legal 2010)

[http://www.amlegal.com/nxt/gateway.dll/Illinois/chicago\\_il/municipalcodeofchicago?f=templates\\$fn=default.htm\\$3\\_0\\$vid=amlegal:chicago\\_il](http://www.amlegal.com/nxt/gateway.dll/Illinois/chicago_il/municipalcodeofchicago?f=templates$fn=default.htm$3_0$vid=amlegal:chicago_il)

<sup>2</sup> For example, this review determines that the use of MTDs in sweeping City streets by the Department of Streets and Sanitation is efficient, as these MTDs continuously drive and their responsibilities cannot easily be absorbed by other employees. However, this finding does not mean that the IGO has concluded that street sweeping overall is delivered efficiently because other factors, such as inefficient routing or insufficient demand for the current staffing level could mean that the service is not delivered efficiently. To the extent that this review has uncovered operations that appear to be inefficient, the IGO will address these in its next Budget Options report. The 2010 Budget options report is available at:

<http://www.chicagoinspectorgeneral.org/pdf/IGO%20Budget%20Options%20for%20the%20City%20of%20Chicago-%20October%202010.pdf>.

available on the [IGO's website](#). The IGO thanks the department personnel who responded to our questions and information requests for their cooperation. Indeed, in many respects, the IGO found department personnel not merely cooperative, but welcoming and encouraging of our inquiry into an issue that many spoke of as having long frustrated their desire to make their operations more cost-effective and efficient.

## **B. Findings**

The following sections detail the findings from the review.

### **1. Approximately 200 MTD Positions Are Unnecessary and Therefore Used Inefficiently**

Detailed analysis of MTD responsibilities across nine City departments has revealed that most MTDs employed by the City are being used efficiently, including when they are driving snowplows, operating garbage collection trucks, and sweeping City streets. However, the review has also revealed that a sizable percentage of MTDs, approximately 200 MTD positions, are used solely to transport personnel and equipment, a task which could easily be performed by another assigned member of the work crew who participates in the actual performance of the task or project. These positions are ones in which MTDs transport personnel and equipment to jobsites and then merely *wait* – generally getting paid to do nothing more than sit in a vehicle – while other City personnel perform various tasks.

For example, MTDs working on tree trimming and street light repair crews only drive personnel and equipment to and from jobsites. Once at the jobsite, these MTDs do not participate in tree trimming or street light repairs. On both of these crews, other crew members could easily drive the vehicles, eliminating the need for the MTD positions. In the absence of the labor restrictions discussed below, these positions could be eliminated by simply having other members of the crew drive City vehicles, which in many cases would not require additional training or qualifications. Elimination of the estimated 200 inefficient MTD positions would save the City approximately \$18 million a year.<sup>3</sup>

The table below summarizes the inefficient MTD positions by City department.

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<sup>3</sup> Including pension and healthcare benefits, the average annual compensation for a full-time MTD, not including overtime, is approximately \$90,000.



**Table-Summary of Inefficient MTD positions**

<b>Department and Bureau (if applicable)</b>	<b>Number of MTDs not used Efficiently</b>
<b>Streets and Sanitation</b>	
Rodent Control	40
Forestry	21
Street Operations	3 to 7
Traffic Services	1 to 2
<b>Water Management</b>	
Operations and Distribution	61 to 64
<b>Transportation</b>	
In-House Construction	17 to 41
Electrical Operations	35 to 42
<b>General Services</b>	6
<b>Emergency Management &amp; Communications</b>	4
<b>Library</b>	1
<b>Total</b>	<b>189 to 228</b>
Note; The ranges are a result of the variation in MTD staffing in certain operations due to seasonal fluctuations.	

When faced with the daunting fiscal challenges of the current budget crisis, the City must spend valuable resources as cost-effectively as possible. The inclusion of extra workers on a crew when their presence does not add value creates unnecessary costs which are paid for by taxpayers. By transitioning to using MTDs only for necessary transportation assignments – for example, if a driver is needed to continuously drive equipment to different locations – the City could save money and create a more efficient workforce without in any way compromising the existing level and quality of services provided to the taxpayers.

2. Inefficient Use of MTDs Is Caused by a Restrictive Collective Bargaining Agreement

The prime reason for the inefficient use of MTDs is that the City’s collective bargaining agreement (CBA) with the union that represents MTDs, the Teamsters, severely constrains the City’s managerial rights. In successive CBAs with the Teamsters, each ratified by the City Council, the past and current administrations have relinquished the City’s ability to combat identified inefficiencies by prohibiting the City from transferring certain MTD responsibilities to other employees or subcontracting the services MTDs help provide. The current CBA, in effect until June 2017, does not allow the City to unilaterally transfer work that has been traditionally performed by MTDs to other City employees, except in emergencies. Additionally, the CBA does not allow the City to subcontract any service that would result in the layoffs of MTDs.

Thus, regardless of operational needs or changing technologies, the City is severely limited in how it can reorganize the many City services that MTDs are involved in delivering.

The constraints the Teamsters CBA places on the City illustrate the significant downside to excessively long-term labor contracts. The current Teamsters CBA, as well as over 30 other City unions' CBAs, was ratified in December 2007 and runs through June 2017. While long-term contracts may appear advantageous to negotiating parties at the time they are entered into, the possibility, and in the case of ten-year contracts, the likelihood, of significant changes in the financial condition of the City and the work requirements of the City make these ten-year contracts unnecessarily restraining for current (and future) management. By signing a ten-year CBA with the Teamsters (and with over 30 other unions representing City employees), the current administration and City Council unduly hamstrung not only the current management of City government, but the next six years of management as well, a period that extends well beyond the elected terms of the incoming Administration and City Council. In this regard, excessively long CBAs implicate many of the same concerns and considerations posed by long-term leasing of City assets which this office has elsewhere analyzed.<sup>4</sup>

### **C. Recommendations**

To help prevent future CBAs governing MTDs and other City employees from hampering the ability of the City to deliver services efficiently and respond to changing fiscal situations, the IGO recommends that the Administration and City Council consider the following:

- Enacting an ordinance limiting the duration of CBAs to a maximum of four years, tracking the term of the Mayor and City Council.
- Before the ratification of a CBA, requiring the submission to the City Council of a comprehensive analysis of a CBA's impact on the delivery of City services, including comparative cost-benefit analysis of staffing requirements and restraints on management rights.

Additionally, the IGO recommends that the City examine amending the current CBA to include two provisions that should relieve the constraints on management rights in the future. These provisions are not particularly innovative, nor would they be easy to incorporate into an agreement since they require the unions' agreement. However, these provisions could prevent the situation that the City finds itself in now: workers, here MTDs, sitting idle on the job, for hours at a time, while being paid by a City burdened with a \$1 billion structural budget deficit. These provisions are:

- A reopener clause allowing for renegotiation of the CBA if the financial condition of the City is significantly different than at the time of original bargaining.
- A "Four Corners" provision that would ensure that all the terms of the agreement between the union and the City be placed within the "Four Corners" of the CBA,

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<sup>4</sup> See Chicago Inspector General Report, "An Analysis of the Lease of the City's Parking Meters," available at <http://chicagoinspectorgeneral.org/pdf/IGO-CMPS-20090602.pdf>

meaning within one comprehensive document which would be presented and acted on *in its entirety* by the City Council. This means that:

- No “side letters” or “Memoranda of Understanding” not expressly incorporated into the CBA would govern the employment relationship.
- The CBA would not contain restrictive references to “unit work” or “traditional work” without also granting the City the ability to reorganize services based on technological change or operational need.

#### **D. Conclusion**

This report is meant to be used by both the union and the City as a resource to assist in modernizing and adding even more value to the current position of the MTD within the City. More pointedly, the IGO report recommends action by the City (met halfway by the Teamsters Union) to correct operationally and fiscally injurious managerial constraints in its ten-year CBAs that significantly hinder meaningful restructuring of operations needed to combat fiscal hardships. The IGO believes it is in the best interest of the union, its members, and the City management to hold down unnecessary costs when providing public services.

When City departments use MTDs for the sole purpose of transporting laboring personnel and equipment to jobsites or meetings, and then allow the MTD to merely wait for the personnel and equipment to be shuttled back or to a different jobsite, the City is wasting valuable manpower and resources. This report, through a detailed analysis of MTD utilization across numerous City departments, highlights approximately 200 MTD positions that are used in just this way. When faced with the daunting fiscal challenges of the current budget crisis, the City must reevaluate and prioritize such expenditures to best ensure that it is spending valuable tax resources only on public services delivered in a cost-effective and efficient manner.

## I. INTRODUCTION

In the summer of 2010, several IGO employees observed a City vehicle containing two City workers pull up outside of the building housing the IGO's office. A painter got out of the passenger seat and painted the curb and fire hydrant located outside the building, while the vehicle's driver sat in the driver's seat, never leaving the vehicle and not assisting in the work being performed by the painter. After the painting was complete, the painter returned to the vehicle and the two workers drove away. Witnessing this event prompted the IGO to question whether the City was using Motor Truck Drivers (MTDs) efficiently. In this instance, the driver of the vehicle seemed to perform a duplicative role, as the painter could easily drive him/herself from jobsite to jobsite.

The belief that this observation might reflect a broader problem was reinforced by recurring complaints the IGO has received since 2006 about City truck drivers loafing or sleeping on the job. Since January 1, 2006, the IGO has received almost 200 complaints related to City employees loafing and/or sleeping while on the clock.<sup>5</sup> One subset of these complaints is the observance of one employee (assumed to be the vehicle's driver) sitting in a vehicle, never once assisting his/her coworkers with whatever task they are undertaking, whether it be changing a streetlight or fixing a water main. For example, in a 2009 complaint, a City resident observed nine to twelve Department of Water Management (DWM) employees working on one City block. The resident observed one DWM employee sitting in his truck reading the newspaper and confronted the employee. The unknown employee told the resident that "he was just doing his job." In a 2010 complaint, an anonymous complainant observed four City workers working on a traffic light while one employee slept in a truck. The complainant stated that the employee had done no work for over four hours. In a 2011 complaint, an employee was observed sleeping in a City vehicle while his/her co-worker was working.

Based on these complaints and the observations of IGO personnel, the IGO conducted a review of the efficiency of the City's use of MTDs across all City departments.<sup>6</sup>

This review focuses on the efficiency of the job duties of MTDs, on the premise that an efficient use of an MTD is having him/her perform job duties that cannot easily be incorporated into another employee's responsibilities. The review is not, and should not, be seen as making any determinations about the efficiency of the overall operations discussed. For purposes of our

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<sup>5</sup> Due to the IGO's emphasis on investigations into systemic misconduct or criminal activity and the need to prioritize its investigative resources, it has launched formal investigations into only a small fraction of the loafing/sleeping complaints it has received. In the last quarter of 2010, the IGO opened investigations into 16.5% of all complaints received.

<http://www.chicagoinspectorgeneral.org/pdf/IGO-2010%20Q4%20Report%20Final.pdf> pg. 2

<sup>6</sup> The IGO is charged by ordinance "To promote economy, efficiency, effectiveness and integrity in the administration of the programs and operations of the city government by reviewing programs, identifying any inefficiencies, waste and potential for misconduct therein, and recommending to the mayor and the city council policies and methods for the elimination of inefficiencies and waste, and the prevention of misconduct."

City of Chicago. Municipal Code. Section 2-56-030(c) (American Legal 2010)

[http://www.amlegal.com/nxt/gateway.dll/Illinois/chicago\\_il/municipalcodeofchicago?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:chicago\\_il](http://www.amlegal.com/nxt/gateway.dll/Illinois/chicago_il/municipalcodeofchicago?f=templates$fn=default.htm$3.0$vid=amlegal:chicago_il)

analysis, the review does not examine whether the underlying operation was efficient even though we have elsewhere questioned (and continue to question) the overall efficiency of certain of the operations. This report therefore focuses on the efficiency of the job responsibilities of MTDs in different positions throughout City government in the context of the present configuration of City operations.

The review begins by discussing MTDs' historical roles and duties within the City and provides an overview of the Collective Bargaining Agreement (CBA) between Teamsters Local 700 and the City of Chicago that governs MTDs' employment with the City. It then analyzes the specific role and duties of MTDs in nine different City departments, identifying where there is room to consolidate or eliminate MTD duties. The review concludes with recommendations regarding changes to the CBA that would allow for improvement in the efficiency of the use of MTDs and eliminate confusion among City managers about MTD work responsibilities.

## **II. BACKGROUND ON THE ROLE OF MTDs**

MTDs are positions in the City, to which employees are assigned, that are tasked with driving and operating a wide variety of motor vehicles and power equipment. MTDs are required to possess an Illinois Commercial Driver's License (CDL),<sup>7</sup> are represented by the State and Municipal Teamsters, Chauffeurs and Helpers Union, Local 700, formerly Teamsters Union Local 726,<sup>8</sup> generally make nearly \$34 dollars an hour<sup>9</sup> and receive additional health and pension benefits. Assuming that health and pension benefits equal 30 percent of salary, the average full-time MTD is paid slightly less than \$90,000 per year.<sup>10</sup>

### **A. The Requirements and Work Assignments of MTDs**

In order to be hired as an MTD by the City of Chicago, the applicant must possess a class "A" or "B" CDL. A class "A" CDL is required for any combination of vehicles with a Gross Combination Weight Rating (GCWR)<sup>11</sup> of 26,001 or more pounds provided the Gross Vehicle

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<sup>7</sup> Minimum CDL licensing and training requirements are established by the U.S. Department of Transportation in accordance with the Commercial Motor Vehicles Safety Act of 1986 (CMVSA). The CMVSA was passed by Congress to improve highway safety by ensuring that drivers of large trucks and buses are qualified to operate those vehicles and to remove unsafe and unqualified drivers from the highways. A CDL is issued by the State of Illinois, and costs \$60 initially, with \$5 for additional endorsements. A written test is required for the license, and an applicant may be required to take a road test as well. For more information, see <http://www.cyberdriveillinois.com/departments/drivers/cdl/home.html>

<sup>8</sup> In August of 2009, Local 726 was put in a trusteeship by the national Teamsters Union. Local 714 and Local 726 were later merged to form the new Local 700. [http://newsblogs.chicagotribune.com/clout\\_st/2009/08/national-teamsters-takes-over-city-hall-truck-drivers-union.html](http://newsblogs.chicagotribune.com/clout_st/2009/08/national-teamsters-takes-over-city-hall-truck-drivers-union.html)

<sup>9</sup> City of Chicago. 2011 Annual Appropriation Ordinance, pg. 101.

<sup>10</sup> City of Chicago. Office of Inspector General. "Waste and Falsification in the Bureau of Sanitation." pg. 18. Salary Calculation: \$33.85 per hour times 2,040 working hours per year equals \$69,054. \$69,054 times 0.3 equals \$20,716 in fringe benefit costs. \$69,054 plus \$20,716 equals \$89,770.

<sup>11</sup> The GCWR is the maximum allowable combined mass of a towing road vehicle, passengers and cargo in the tow vehicle, plus the mass of the trailer and cargo in the trailer. The GCWR is set by the vehicle manufacturer.

Weight Rating (GVWR)<sup>12</sup> of the vehicle(s) being towed is in excess of 10,000 pounds, while a class “B” CDL is required for any single vehicle with a GVWR of 26,001 or more pounds, or any such vehicle towing a vehicle not in excess of 10,000 pounds GVWR. Additionally, MTDs may be required to have a “P” or “X” endorsement.<sup>13</sup>

MTDs must pass a driving test demonstrating their ability to operate various vehicles, which may include vehicles with up to 7-speed manual transmissions.<sup>14</sup> Applicants also must have knowledge of automotive and motorized equipment, traffic laws and safety procedures, and geographical locations throughout the city. Candidates who meet the minimum qualifications and successfully pass the road test will be hired in lottery order.

There are two different classes of MTDs - “Career” and “Pool.” Pool MTD positions are probationary positions for which employees are initially paid at 80% of MTD Salary for the first year of service, at 90% for the second year, and at the full rate after that. Pool MTDs perform work for the Chicago Department of Aviation (CDA), the Chicago Department of Transportation (CDOT), DWM and the Department of Streets & Sanitation (DSS). When a pool MTD’s particular assignment is concluded, they are returned to the pool. If no assignments exist in the pool, the employee is placed on unpaid inactive status. Career-service MTDs are hired by individual departments and remain in that department pending a change in position and receive full salary and benefits.

In addition to career and pool MTDs, there are also seasonal MTDs that are used for “temporary work related to or caused by seasonal needs.”<sup>15</sup> These employees are paid at the full salary rate, but do not receive vacation days or dental and vision benefits.

According to job descriptions published by the Department of Human Resources (DHR) and provided by the various City departments that employ MTDs, MTDs may have a variety of work assignments and job duties. These job duties can include:<sup>16</sup>

- Driving sweepers, snowplows, spreaders;
- Driving garbage and refuse collection trucks;
- Inspecting vehicles for proper operation;
- Paperwork: worksheets, repair orders, activity logs;

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<sup>12</sup> The GVWR is the maximum allowable total weight of a road vehicle or trailer when loaded, including the weight of the vehicle itself plus fuel, passengers, cargo, and trailer tongue weight. The GVWR is set by the vehicle manufacturer.

<sup>13</sup> A P endorsement is needed for any vehicle, regardless of size, designed to transport 16 or more persons, including the driver. An X endorsement is needed to operate any vehicle that is used to transport hazardous liquids or gaseous materials in permanently or temporarily mounted tanks rated at 1,000 gallons or more.

<sup>14</sup> “Motor Truck Driver” Minimum Qualifications, available at:

[http://www.cityofchicago.org/city/en/depts/dhr/supp\\_info/operation\\_constructionservices7100series.html](http://www.cityofchicago.org/city/en/depts/dhr/supp_info/operation_constructionservices7100series.html)

<sup>15</sup> Collective Bargaining Agreement between Teamsters Local 726 and City of Chicago. Effective July 1, 2007 through June 30, 2017. Section 8.6 Seasonal Employment.

<sup>16</sup> These duties are compiled from MTD job descriptions provided by DSS, Fleet, DGS as well as the “Motor Truck Driver” Minimum Qualifications, available at:

[http://www.cityofchicago.org/city/en/depts/dhr/supp\\_info/operation\\_constructionservices7100series.html](http://www.cityofchicago.org/city/en/depts/dhr/supp_info/operation_constructionservices7100series.html)

- Safety checks;
- Delivery of cones, barricades, and “set ups”;
- Rerouting flow of traffic;
- Driving bus shifts (North Park Village);
- Relocating furniture and records for various City departments (police, libraries);
- Tire repair;
- Transporting personnel to and from projects;
- Transporting materials, tools, and equipment to and from projects;
- Driving department employees to meetings;
- Driving equipment from truck service bays to maintenance yard;
- Monitoring movement of equipment;
- Delivering inter-departmental mail;
- Test driving equipment;
- Assisting electrical mechanics and steamfitters.

All MTDs are not assigned to all these particular work assignments, rather their specific duties depend on the departments to which they are assigned and the particular needs of the City at any particular time.

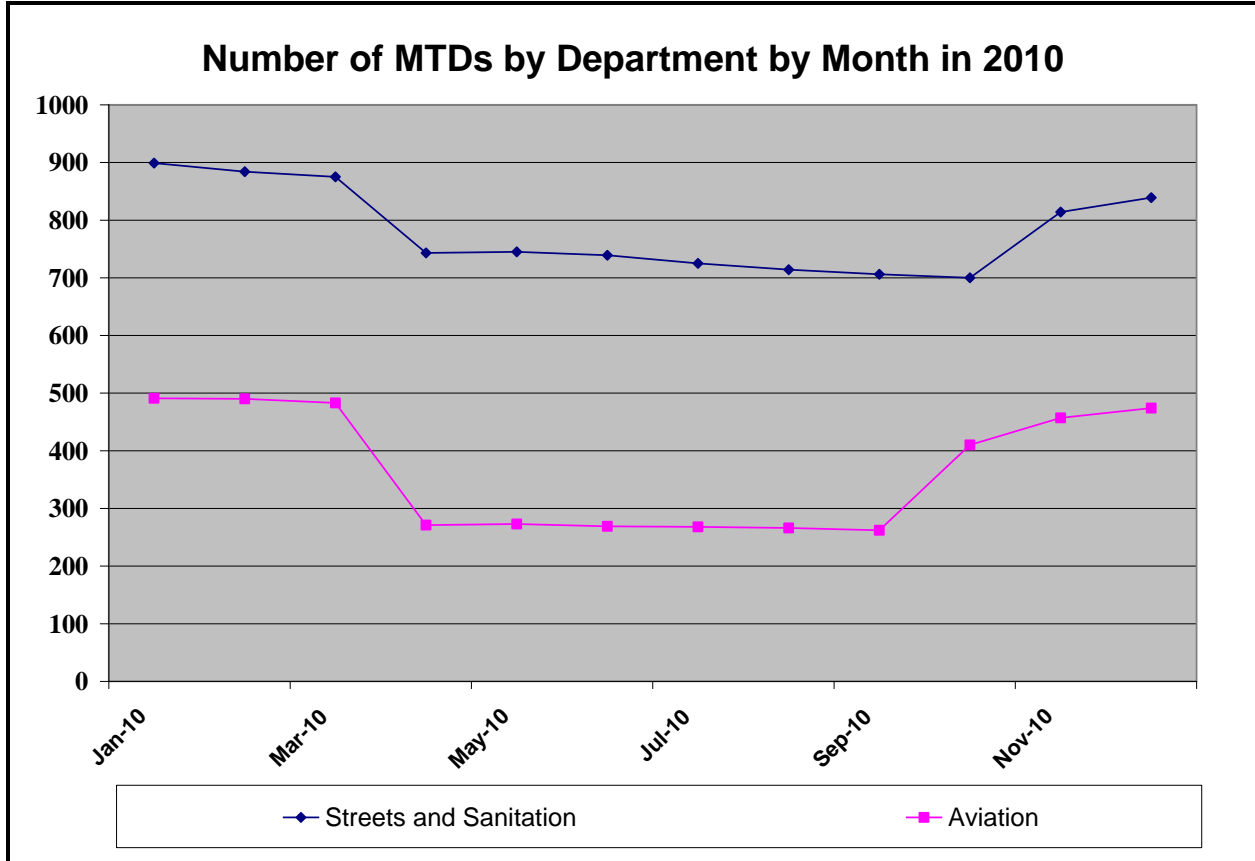
**B. The Distribution of MTDs in City Government**

In 2010, the City employed between approximately 1400 and 1800 MTDs, depending on the time of year, in nine different departments. The table below details the distribution of MTDs across the City.

**Table #1-Distribution of MTDs in City Departments**

Department	Range of Number of Active MTDs Assigned to each Department in 2010
Department of Streets and Sanitation	700 to 899
Chicago Department of Aviation	262 to 491
Department of Water Management	220 to 238
Chicago Department of Transportation	130 to 150
Department of Fleet Management	35 to 39
Chicago Public Library	7 to 9
Department of General Services	7
Chicago Department of Public Health	3 to 4
Office of Emergency Management and Communications	2 to 4
<b>Approximate Total</b>	<b>1400 to 1800</b>
Note 1: MTDs in this chart include 5 titles: Foreman of Motor Truck Drivers, General Foreman of Motor Truck Drivers, Motor Truck Drivers, Motor Truck Driver - Tire Repair, and Pool Motor Truck Drivers.	
Note 2: Active MTDs refers to MTDs who are listed as active in the City's personnel system. This does not include MTDs on various types of leave such as duty disability and family and medical leave.	
Note 3: Data is from City's personnel system and is from 12 snapshots of the City's personnel system taken in each month of 2010. Specifically, the snapshots are from January 20, February 16, March 16, April 16, May 17, June 16, July 19, August 16, September 16, October 18, November 16, and December 16.	
Note 4: The low and high ends of the approximate total will not equal the sum of all low and high ends of the ranges for individual departments because different departments experience the lows and highs at different times of the year.	

The seasonal fluctuation in the number of MTDs over the course of a year is due to the increased demand for MTDs in winter as part of the City’s snow removal efforts in DSS and CDA. The chart below shows the fluctuation by month in active MTDs in these two departments.



The chart shows the large reduction in MTDs in both departments from March to April as winter ends and the City no longer needs to respond to snow events. The other departments which employ MTDs have a relatively stable amount of MTDs assigned to them, but CDOT typically adds 20 MTDs in the summer as its street and sidewalk paving activities increase during these months.

The City manages this fluctuation in the need for MTDs through the use of pool and seasonal MTDs. While the number of career-service MTDs remains fairly constant, the number of pool MTDs fluctuates substantially. The table below details the fluctuation in pool MTDs in 2010 across the departments that employ them. As discussed above, as the demand for service decreases and no assignments exist in the pool, pool MTDs are placed on unpaid, inactive status.



**Table #2-Distribution of Pool MTDs in City Departments**

<b>Department</b>	<b>Range of Number of Active Pool MTDs Assigned in 2010</b>
Department of Aviation	132 to 353
Department of Streets and Sanitation	151 to 307
Chicago Department of Transportation	44 to 65
Department of Water Management	38 to 40
<b>Total</b>	<b>376 to 749</b>
Note 1: Active MTDs refers to MTDs who are listed as active in the City's personnel system. This does not include MTDs on various types of leave such as duty disability and family and medical leave.	
Note 2: Data is from City's personnel system and is from 12 snapshots of the City's personnel system taken in each month of 2010. Specifically, the snapshots are from January 20, February 16, March 16, April 16, May 17, June 16, July 19, August 16, September 16, October 18, November 16, and December 16.	
Note 3: The low and high ends of the approximate total will not equal the sum of all low and high ends of the ranges for individual departments because different departments experience the lows and highs at different times of the year.	

**C. Contract Governing MTDs’ Employment**

The City and Teamsters Union Local 726 entered into the current CBA, which is effective July 1, 2007 through June 30, 2017 (City Council ratified the contract on December 12, 2007).<sup>17</sup> This agreement establishes both the wages and the terms and conditions of employment for the MTDs (as well as numerous other job classifications) employed by the City.<sup>18</sup>

Within the CBA, the City, as manager and employer, expressly reserved the right: “to layoff by reason of lack of work, by reason of lack of funds or work, or abolition of a position,” to create “material changes in duties or organization of the Employer’s operations,” “to hire, classify, transfer and assign work,” “to determine the services, processes, and extent of the Employer’s operation,” as well as “the nature, extent, duration, character and method of operation, including (but not limited to) the right to contract out or subcontract; the right to determine the number of employees and how they shall be employed.”<sup>19</sup> These rights are exclusively vested in the employer, *except* as expressly abridged by a specific provision of the agreement.<sup>20</sup> This section

<sup>17</sup> Chicago City Council Journal of Proceedings, December 12, 2007, 17006-17010 (noting unanimous ratification of the Teamsters CBA).

<sup>18</sup> Positions covered by the CBA and represented by Teamsters 700 that may be mentioned in this report: MTD, MTD (operating sweeper, tow truck or dead animal truck), MTD (operating dual purpose equipment, five-axle, or tractor trailer unit or Front End Loader), MTD (Tire Repairer), Pool MTD, Seasonal MTD, Seasonal MTD (2 hour).

<sup>19</sup> Collective Bargaining Agreement between Teamsters Local 726 and City of Chicago. Effective July 1, 2007 through June 30, 2017. Article 2 -“Management Rights.”

<sup>20</sup> Note that Illinois State law governs the bargaining subjects between the City and the Union, including Management Rights. *See* 5 Ill. Stat. Ch. 315/4 (“Employers shall not be required to bargain over matters of inherent managerial policy, which shall include such areas of discretion or policy as the functions of the employer, standards of services, its overall budget, the organizational structure and selection of new employees, examination techniques and direction of employees. Employers, however, shall be required to bargain collectively with regard to policy matters directly affecting wages, hours and terms and conditions of employment as well as the impact thereon upon request by employee representatives.”).

discusses some of the CBA provisions that have abridged the rights and abilities of the City to rebalance, subcontract, layoff, or transfer MTD work.

### 1. Rebalancing the Work Assignment among MTDs

In order to transfer work assignments amongst MTDs, such as reducing the number of MTDs in a certain department, shift, or work schedule and reassigning them to another department, location or schedule, the City must “seek volunteers among the employees in the affected job classification, provided that the volunteers have the present ability to perform the required work without further training.”<sup>21</sup> In addition, “[i]f there are more volunteers than there are assignments, such reassignments shall be made on the basis of seniority. If there are insufficient volunteers available, the Employer shall reassign employees using reverse seniority provided the employees have the present ability to perform the required work without further training.”<sup>22</sup> The City may move MTDs without the aforementioned request, however, “to meet the Operational needs of the Department or the City of Chicago.”<sup>23</sup> In those circumstances, however, the City first must “meet with the Union regarding the impact of said action in accordance with the provisions of the Illinois Labor Relations Act.”

If, due to this rebalancing, an employee is directed to, performs, and is accountable for substantially all of the duties and responsibilities of a higher-rated (i.e., higher paid) job (such as MTD-Dead Animal Truck or MTD-Operating Sweeper), then that employee “shall be paid at the higher rate, retroactive to the first day of the assignment.”<sup>24</sup> The City must also notify “the Secretary-Treasurer and the President of the Union of any change in job title. If the Employer makes any substantial change in job duties it will discuss such changes with the Union prior thereto.”<sup>25</sup> Thus, the City must inform the Union of changes to job duties that may occur as a result of rebalancing the workforce.

### 2. Transferring Work to Non-MTDs

If the City would like to transfer job duties that are currently done by MTDs to non-MTDs (such as Laborers or Operating Engineers), it must be careful that these move not violate Article 14 of the CBA, known as a “work preservation clause.” Article 14 does not allow the City to unilaterally transfer work that “has been traditionally performed by employees who are represented by the Union” to non-bargaining unit employees (employees of any other unit represented by another Union).<sup>26</sup> This is a common provision in CBAs between the City and unions representing City employees. The provision is variously referred to as “work preservation” or “traditional work,” and sometimes referred to as “past practice.”

The contract provides that traditional work of MTDs “shall continue to be performed by [MTDs], except where non-unit employees have in the past performed unit work, or in

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<sup>21</sup> Collective Bargaining Agreement between Teamsters Local 726 and City of Chicago. Effective July 1, 2007 through June 30, 2017. Section 8.10.

<sup>22</sup> *Id.*, Article 8, Section 8.10.

<sup>23</sup> *Id.*, Article 8, Section 8.10.

<sup>24</sup> *Id.*, Section 8.11.

<sup>25</sup> *Id.*, Article 14, Section 14.1.

<sup>26</sup> *Id.*, Section 14.2.

emergencies.” The CBA also states that the “Employer shall not arbitrarily extend the period of any emergency beyond the need for that emergency.”<sup>27</sup>

Traditional work is not described or defined within the CBA, but instead must be determined through historical practice. Traditional work is work that has been “customarily and consistently” assigned to MTDs “over a significant period of time.”<sup>28</sup> The question of whether a work assignment is to be considered “traditional work” does not “necessarily depend on the vehicle or piece of equipment used to perform the work assignment.”<sup>29</sup> For example “driving pick up trucks” may not be the traditional work of MTDs, but “driving pick up trucks while hauling supplies and materials” (not including propane and barricades) may be considered traditional work of MTDs.<sup>30</sup> Thus, each work assignment that the City would like to transfer must be evaluated individually to determine whether the work being performed is indeed “traditional work” of MTDs. If it is, the City may not unilaterally transfer such work and instead must negotiate an agreement with the Union before it can proceed.

When transferring work between employees represented by different unions, both CBAs must be consulted to determine whether such transfer is allowed. For example, if the City wanted to transfer the driving of a vehicle to an Operating Engineer from an MTD in order to streamline operations, both the Teamsters CBA and the Local 399 Operating Engineer CBA would need to be consulted. Similarly, if the City wanted to transfer “dead animal removal” responsibilities from a laborer to an MTD, both the Teamsters CBA and the Locals 1001, 1092 and 76 Laborers CBA would need to be consulted. As similar “traditional work” provisions exist in all of these CBAs, management is significantly constrained in its ability to transfer work in order to deal with operational inefficiencies across the board.

### 3. Subcontracting MTD Work to Private Companies

Subcontracting departmental MTD work to private companies is contemplated by the CBA. The Agreement explains: “In the event that the Employer determines to subcontract unit work under this Agreement, and as a result bargaining unit employees would be laid off by the proposed subcontracting, the Employer shall make available, on a seniority basis, equal-rated permanent jobs which the Employer has declared to be vacant in the affected Department, or other departments, as the case may be, in that order, provided the laid off employees have the then present ability to perform the required work without further training.”<sup>31</sup> Thus, currently vacant MTD positions must be made available on a seniority basis to any MTDs laid off as a result of subcontracting. The CBA also specifies that “[p]rior to sub-contracting of bargaining unit work, the Employer, the Union, and the proposed sub-contractor shall meet to discuss the employment of employees subject to layoff. During that meeting the Employer will request and urge that the

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<sup>27</sup> Collective Bargaining Agreement between Teamsters Local 726 and City of Chicago. Effective July 1, 2007 through June 30, 2017. Section 14.2.

<sup>28</sup> Berman Arbitration award, pg. 21.

<sup>29</sup> Fleischli Arbitration award, pg. 25

<sup>30</sup> Fleischli Arbitration award, pg. 25-31.

<sup>31</sup> Collective Bargaining Agreement between Teamsters Local 726 and City of Chicago. Effective July 1, 2007 through June 30, 2017. Article 2.

sub-contractor hire laid off employees.”<sup>32</sup> Accordingly, the CBA itself contemplates the City having the ability to subcontract MTD positions even if MTDs would be laid off as a result, but only if (1) any currently vacant positions are made available to laid off MTDs, and (2) if a prior meeting occurs between the Union, City, and the new subcontractor where the subcontractor is urged to hire laid off MTDs.

Curiously, however, the City is also a party and signatory to a Side Letter, dated July 25, 1996 that at least in part negates the operation of the CBA provision noted above.<sup>33</sup> This side letter, which remains in effect for the duration of the 2007-2017 CBA, as confirmed by signature of a representative of the City and the Union on September 7, 2007, states that “the City will not subcontract unit work if such subcontracting would result in a layoff of unit employees.”<sup>34</sup> The side letter continues:<sup>35</sup>

In the event during the life of this contract the City should decide to subcontract work in circumstances beyond which is authorized in this memorandum,<sup>36</sup> the City shall advise the Union of its intent to subcontract not less than 60 days prior to such subcontracting. Thereafter, the City shall meet and negotiate with the Union concerning proposed subcontracting and implement such subcontracting upon the mutual agreement of the parties.

This side letter does not allow for any subcontracting that would result in layoffs and requires that the City negotiate with the Union even over subcontracting that would not result in layoffs. Thus, the subcontracting contemplated in the four corners of the CBA appears in significant part to be limited or negated by a side letter that is not attached or incorporated by reference into the CBA as presented to and ratified by the City Council.

#### 4. Department Layoffs

The CBA also details the procedure for department layoffs of MTDs. The Agreement states that “[i]n the event of a layoff within a Department, the Department shall first terminate the seasonal drivers, and then return Pool Motor Truck Drivers to the pool by order of seniority before laying off career service Motor Truck Drivers.”<sup>37</sup> Laid-off higher rated employees may displace (bump) the least senior employee in the most recent lower job title that employee has held.<sup>38</sup> For example, a Foreman of MTDs can displace an MTD if the foreman is laid off.

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<sup>32</sup> Collective Bargaining Agreement between Teamsters Local 726 and City of Chicago. Effective July 1, 2007 through June 30, 2017. Article 2.

<sup>33</sup> A side letter has the same force as the underlying contract.

<sup>34</sup> 1996 Side Letter (“Memorandum of Agreement,” dated July 25, 1996).

<sup>35</sup> *Id.*

<sup>36</sup> The Side Letter does contemplate subcontracting the operation of parking garages at Midway and O’Hare airport.

<sup>37</sup> Collective Bargaining Agreement between Teamsters Local 726 and City of Chicago. Effective July 1, 2007 through June 30, 2017. Article 8, Section 8.7.

<sup>38</sup> *Id.*, Article 15, Section 15.1.

## 5. Reopener

The CBA does allow, in limited circumstances, the reopening of the Agreement. As stated in the agreement, “[in] the event of an emergency, cataclysmic event or other similar exigency affecting the City’s financial condition, each party reserves the right to reopen the entire Agreement.”<sup>39</sup>

### D. Analysis of Restraints

The foregoing reflects that the City’s management rights are severely constrained by the CBA. As a result, the responsibilities of MTDs are locked in place according to historical practice and the City has no ability to unilaterally change these responsibilities in response to operational, technical, or fiscal change, or any other circumstances that may arise. Not only are the responsibilities of MTDs fixed, these responsibilities cannot be taken away from MTDs and given to other employees regardless of operational requirements.

Further, the City can only subcontract MTD functions when the subcontracting does not result in the layoff of any MTDs, thus severely restricting the City’s subcontracting options. The fact that the CBA itself contemplates and sets out the procedure for subcontracting, but that this procedure is at least in part negated by a side letter that is not attached or incorporated into the CBA, is troubling for a number of reasons. First, if the CBA that the City Council ratifies is limited by agreements not attached to the CBA, there is no way for the City Council to truly understand the extent that managerial rights have been abridged. Second, there is a fundamental deficiency in transparency and accountability for the City Council and the public alike respecting the CBA as implemented. Third, the prevailing side letter practice appears in this instance to at best constrain and at worst negate the operation of the CBA as a law, since the CBA is presented to and ratified by the City Council in the form of an ordinance.<sup>40</sup>

Because the City has bargained away many managerial rights in the CBA, it does not have the ability to combat an identified inefficiency by transferring, eliminating, or subcontracting work assignments. Additionally, absent a catastrophic event the City cannot unilaterally force the Teamsters to renegotiate any work rule provisions until 2017. While long contracts may appear advantageous to negotiating parties at the time they are entered into, the possibility for very real and serious changes in the financial condition of the City and the work requirements of the City make this ten-year contract unnecessarily restraining for current (and future) management. These restraints, and the IGO’s corresponding recommendations, are discussed further in Section XIV of this report.

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<sup>39</sup> Collective Bargaining Agreement between Teamsters Local 726 and City of Chicago. Effective July 1, 2007 through June 30, 2017. Article 21.

<sup>40</sup> While the 1996 side letter does prevent subcontracting that would result in layoffs, it does not appear to prevent subcontracting which would move active Pool MTDs to “inactive” status. Although this option does not provide management with as much subcontracting flexibility as the text of the CBA appears to contemplate, it could provide an opportunity for cost savings.

### **III. DEPARTMENT ANALYSIS STRUCTURE AND METHODOLOGY**

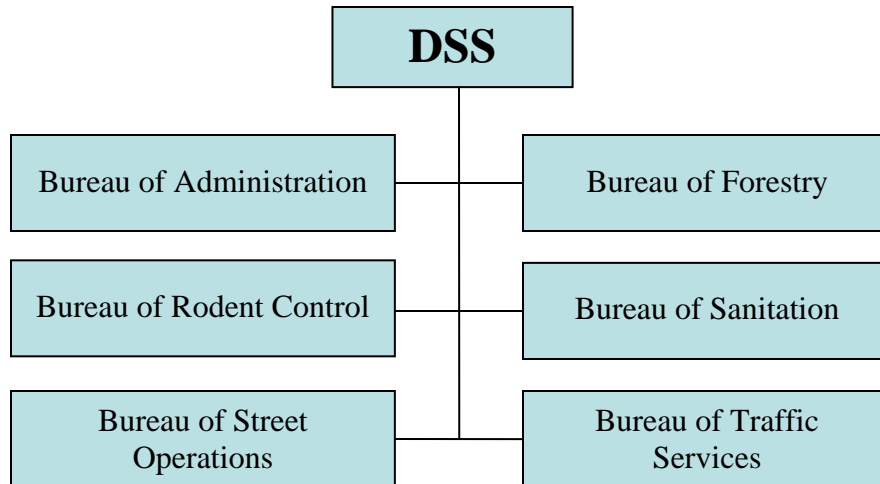
What follows is a department-by-department analysis of how the City is currently using MTDs, highlighting positions and work assignments that are inefficient. The basic premise of this review is that an efficient use of an MTD is having him/her perform job duties that cannot easily be incorporated into another employee's responsibilities and requires the MTD to generally be driving a vehicle for the majority of his/her shift. However, if positions are found to be efficient, this review makes no determination on whether the operations themselves are efficient, but rather focuses on whether the division of labor between MTDs and the employees they work with is efficient. For example, the review could determine that the use of MTDs in garbage collection is efficient, but that garbage collection overall is delivered inefficiently, due to inefficient truck routing, other employees being used inefficiently, etc.

For the departments with larger numbers of MTDs, the analysis is broken up by bureau or division and then discusses the duties and responsibilities of MTDs on the different work crews within each bureau. It then analyzes the efficiency of the job responsibilities of MTDs in each crew. For departments with smaller numbers of MTDs, the structure is the same but without a bureau or division breakdown. At the end of the department-by-department analysis is a summary section that summarizes the analysis across all City departments. Lastly, a set of recommendations for adjustments to the current CBA is provided.

The department-by-department analysis is based on interviews with personnel in each of the nine departments listed below and documents provided by the departments that detail the responsibilities and duties of the MTDs they employ. Pertinent documents used in the review are available on the [IGO's website](#).

### **IV. DEPARTMENT OF STREETS & SANITATION**

DSS is tasked with the mission of providing a safe and healthy environment on the streets and alleys of Chicago. DSS is organized into six bureaus, as shown in the chart below. Through these bureaus, the department provides a broad variety of services, including: the collection, disposal and recycling of residential refuse; the sweeping and plowing of streets; the removal of graffiti; the cleaning of vacant lots; the demolition of garages; the towing of illegally parked vehicles; the abatement of rodents; and the planting, trimming and removal of trees.



DSS employs approximately 700-900 MTDs across the Bureaus of Forestry, Rodent Control, Sanitation, Street Operations and Traffic Services, depending on the time of year. While the aggregate number of MTDs within DSS fluctuates, which bureau MTDs are assigned to also varies. DSS’s two primary responsibilities are garbage collection and snow removal in the winter. To meet these two primary responsibilities, DSS will often use MTDs (and other personnel) from other bureaus to work on these two services, leaving the other bureaus with less MTDs to meet their service demands.

**A. Bureau of Sanitation**

The Bureau of Sanitation (Sanitation) is responsible for collecting residential garbage, blue cart recycling, and the sweeping of the City’s main and residential streets. Sanitation collects garbage every week from 600,000 households and recycling every other week from 241,000 households. Sanitation’s street sweeping operations operate year-round on the City’s main streets and from April through November on the City’s residential streets.

Sanitation employs the largest contingent of MTDs in the City. In the spring, summer, and first half of fall, Sanitation has 565 active MTDs. During winter and the latter part of fall, the number shrinks to 505 active MTDs as a number of MTDs are shifted to the Bureau of Street Operations (Street Ops) to perform snow removal related duties. The table shows the distribution of MTDs among the different work crews within Sanitation.

**Table #3-Distribution to MTDs within Bureau of Sanitation**

<b>Function</b>	<b># of MTDs in Spring, Summer, and 1st half of Fall</b>	<b># of MTDs in Winter and 2nd half of Fall</b>
Refuse Collection Crews	352	352
Blue Cart Recycling Collection Crews	45	45
Street Sweeping Crews	40 (up to 45)	0
Night Shuttle Crews	35	35
Relief	53	53
Yard Waste Crews	15	0
Floating Crews	20	15
<b>Total</b>	<b>560 to 565</b>	<b>500</b>
Source: DSS		
Note: The allocation of MTDs provided here is based on the typical current configuration of Sanitation and changes in response to demands for different services.		

1. Refuse Collection Crews

These crews collect garbage weekly from 600,000 households in one to four-unit residential buildings. Garbage collection crews operate Monday through Friday from early morning to mid-afternoon along 352 routes throughout the City. One MTD is assigned to each of the 352 daily routes and drives the garbage truck, while sanitation laborers walk behind the truck positioning black garbage bins that are emptied into the truck by a semi-automatic lift mechanism. Over 75 percent of routes have two sanitation laborers, while remaining routes have one.<sup>41</sup>

2. Blue Cart Recycling Collection Crews

These crews collect recycling every other week from 241,000 households in select areas of the City that also receive garbage collection services. One MTD is assigned to each of the 45 daily routes and drives the recycling truck. There is one sanitation laborer on each recycling route who walks behind the truck positioning blue recycling bins that are emptied into the truck by a semi-automatic lift mechanism.

3. Street Sweeping Crews

These crews operate street sweepers to clean the City’s residential and main streets. There are 40 MTDs seasonally assigned to street sweeping duties. One MTD operates each street sweeper with no other crew members. Street sweeping is conducted by Sanitation in the spring, summer, and first half of the fall, but during the winter and second half of the fall these positions are detailed to Street Ops to assist in snow removal duties or conduct street sweeping under the direction of Street Ops when there is no snow.

<sup>41</sup> An IGO investigation in 2008 that found that garbage collection crews worked, on average, only 75 percent of the work day, indicating that there was not enough work for the collection crews to perform. City of Chicago Inspector General. “Waste and Falsification in the Bureau of Sanitation.” October 7, 2008. <http://www.chicagoinspectorgeneral.org/pdf/IG%20Report%20-%20Bureau%20of%20Sanitation%2010-07-2008.pdf>



#### 4. Night Shuttle Crews

These crews ferry fully loaded garbage trucks from City lots to dump sites after the garbage trucks have completed their daily routes. This greatly reduces the need for garbage trucks on the 352 daily routes to make a second dump during their shift reducing the time spent collecting garbage. Thirty-five MTDs are assigned year-round to these crews. One MTD staffs each crew with no other crew members.

#### 5. Relief

These MTDs act as a reserve force to fill in for MTDs within Sanitation who are on vacation, call in sick, or use personal days. Year-round, 53 MTDs are assigned to Relief.

#### 6. Yard Waste Crews

These crews collect yard waste from 600,000 households that also receive garbage collection services. Yard waste crews operate from spring through mid-fall. As with the garbage and recycling crews, one MTD drives the truck, while sanitation laborers place yard waste bags into the truck. During spring, summer, and the first half of fall, 15 yard waste crews are in operation. The crews do not operate the rest of year.

#### 7. Floating Crews

These MTDs are moved to different parts of the City, typically assisting with garbage collection in response to changing demands for service. For instance, if one area of the City is lagging behind in its garbage collection for the week, these MTDs will be shifted to that area to supplement the existing garbage collection efforts. During spring, summer, and the first half of fall, 20 MTDs are assigned to floating crews. Fifteen MTDs are assigned here the rest of year.

#### 8. Analysis of the Efficiency of MTD Responsibilities

The descriptions above indicate that within the context of existing operations, the use of MTDs in Sanitation is efficient.<sup>42</sup> MTDs work on crews that require them to continually drive vehicles, sometimes as the only member of a crew. They are performing tasks that cannot be performed by another member of the crew without negatively impacting overall crew functions.

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<sup>42</sup> In an October 2010 report, the IGO estimated that the number of refuse collection routes could be reduced to 264 if the City switched to a grid-based system of garbage collection from the current ward-based system. City of Chicago Inspector General. "Budget Options for the City of Chicago," October 2010, available at <http://www.chicagoinspectorgeneral.org/pdf/IGO%20Budget%20Options%20for%20the%20City%20of%20Chicago-%20October%202010.pdf>. Implementation of this option would reduce the number of MTDs required for this function by 88 with a corresponding savings of approximately \$7.9 million in MTD wages and benefits in addition to the workforce reductions and savings detailed in this report that could be implemented if CBA restrictions were changed.

## **B. Bureau of Forestry**

The Bureau of Forestry (Forestry) is responsible for planting, trimming and removing trees that are located along the public right-of-way. Currently, Forestry is responsible for 500,000 trees. Forestry also addresses insect and disease problems, and promotes tree health throughout the City. In addition, Forestry is responsible for clearing trees and debris after storms and other emergency situations.

Forestry has 31 active MTDs assigned to the bureau plus an additional 20 MTDs that go back and forth between Forestry and Sanitation according to service demands. Currently, Forestry has 41 active MTDs available for daily operations. The MTDs in Forestry are typically assigned to work on one of four crews: trimming, removal, clam and semi. Forestry also has two foremen of MTDs. The foremen are responsible for overseeing the MTDs and scheduling equipment for repair and preventative maintenance.

### **1. Trimming Crews**

The trimming crews are responsible for trimming trees and branches. Forestry usually has 12 trimming crews in regular operation. Each day, the trimming crews are provided with a list of addresses where trees need to be trimmed, and each crew is usually able to reach 12 to 15 sites per day.

The trimming crews consist of two to three tree trimmers and one MTD. The MTD drives a tower truck. The tower truck contains a boom and bucket<sup>43</sup> that is used to reach the upper branches and limbs. The MTD drives the crew from jobsite to jobsite but does not perform any trimming work at jobsites. Once at the site the MTD is responsible for keeping the members of the public out of the work area and providing flagging duties, as needed. After the trees are trimmed, the limbs and debris are chipped and transported to a Forestry facility for disposal in the same tower truck that transports the crew.

### **2. Removal Crews**

The removal crews are responsible for removing entire trees. The trees are cut down at the base and the stump is ground out by a private contractor. Currently, Forestry usually has nine removal crews in operation. Each removal crew reaches about three to six locations per day. However this is highly dependent on the complexity of each job. It may be easier to remove ten trees with small diameters than one large, thick tree. Once the tree is removed, the logs and debris are stacked for pick-up by a clam truck.

Each removal crew consists of three to four tree trimmers and one MTD. The tree trimmers cut down the tree and the MTD drives a tower truck. The MTDs assigned to the removal crews have the same general responsibilities as the MTDs on the trimming crews.

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<sup>43</sup> A boom is an extendable arm typically mounted to the back of a truck or van with a bucket attached to its end. Boom and buckets are commonly referred to as cherry-pickers.  
<http://www.wisegeek.com/what-is-a-boom-truck.htm>

### 3. Clam Crews

The clam crews are responsible for picking up large piles of tree debris, often generated by the removal crews. The clam crews also respond to 311 calls from homeowners who have requested pick-up service for tree debris they have placed in the alley. In addition, the clam crews are first responders during tree emergencies and the clam truck is capable of clearing streets and alleys of fallen trees. Forestry usually has nine to ten clam crews in operation.

Each clam crew has one tree trimmer and one MTD. The tree trimmer is responsible for picking up and cleaning the sites of debris and the MTD is responsible for driving the clam truck and operating the clam unit.

The clam trucks are capable of transporting debris but they have a capacity of ten cubic yards. Whenever possible, the clam crews are accompanied by a semi-truck that can handle five times more debris than the clam trucks. Debris collected by the clam crews is transported to Forestry facilities at either 103rd Street or near O'Hare Airport. The debris is then collected for reuse by a private company. The private company pays the City for the privilege of accepting the City's tree debris.

### 4. Semi Crews

The semi crews are responsible for hauling debris collected by the clam crews. Each semi crew has one MTD and no other crew members. The MTD is responsible for driving a semi-truck. Forestry usually attempts to maintain a ratio of one semi crew for every two clam crews so as to reduce the number of disposal trips the clam crews have to make.

Forestry has six semi-trucks but is currently able to run only two trucks on a normal basis due to a shortage of available MTDs. The semis are considered the lowest priority crews in Forestry, so the bureau is occasionally unable to run its semi-trucks when its MTDs are detailed to Sanitation.

### 5. Analysis of the Efficiency of MTD Responsibilities

Forestry appears to be in a position to eliminate approximately 21 MTD positions if contract provisions were amended to allow other non-Teamster union members to perform vehicle driving duties. MTD positions could be eliminated from the trimmer and removal crews since the MTDs on those crews are not involved in trimming or removal efforts at the work site. The MTDs on those crews are used mainly to drive the tower trucks, but since the tree trimmers ride to the work site with the MTD, the driving position could simply be reassigned to one of the other workers. A change in contract restrictions could allow for a reduction of force by one individual on each work crew.

Even with an amendment to the current CBA, MTDs would likely be retained on the clam and semi crews because MTDs on the clam crews are active at the work sites, and each semi crew is staffed with only a single MTD.

### C. Bureau of Rodent Control

The Bureau of Rodent Control (Rodent Control) is responsible for rodent baiting, cart deliveries, dead animal removal, and bee and wasp removal. All work performed by Rodent Control is in response to emergencies or 311 complaints.

Rodent Control currently has 40 active MTDs. Out of that total, 36 are permanently assigned to the bureau and four are detailed to Rodent Control from Sanitation. Rodent Control has an additional seven MTDs that are on duty-disability and one MTD that is temporarily assigned to Sanitation.

The MTDs in Rodent Control work Monday through Friday from 6:00 A.M. to 2:30 P.M. Each MTD is assigned to a two-person crew with a laborer. On all work crews, the MTD is responsible for transporting the laborer and completing the daily work sheets or trip itineraries. Each MTD may have additional duties depending on the crew to which he/she is assigned.

The crews are divided into the following sections: rodent baiting, cart delivery, dead animal recovery, park abatement, bee and wasp removal, and sewer baiting.

#### 1. Rodent Baiting

The rodent baiting crews are responsible for setting traps and placing poison to control the rodent population. The rodent baiting crews operate from light-duty vehicles, such as pick-up trucks, vans or sport utility vehicles.

The laborers are required to set and bait the traps. In general, the MTD drives the work vehicle and hangs notification signs.

#### 2. Cart Delivery

The cart delivery crews deliver new garbage carts to City residents. The carts are delivered in stake body trucks<sup>44</sup> equipped with tail gate lifts. Cart Delivery uses two-person crews: a laborer who is responsible for unloading the carts, and an MTD who drives the truck, operates the tail gate lift and records the serial numbers of the delivered carts.

#### 3. Dead Animal Recovery

The dead animal recovery crews remove deceased animals from public property. The crews operate from a stake body truck. Dead Animal Recovery operates with two-person crews: a laborer responsible for picking up the dead animals and an MTD who drives the stake body truck. MTDs are required to assist the laborers if the animal is too large to be managed by a single individual.

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<sup>44</sup> A stake body truck is a style of open motor truck body consisting of a platform with upright sticks inserted along the outside edges to retain a load.

<http://www.merriam-webster.com/dictionary/stake+body?show=0&t=1299776757>

4. Bee and Wasp Removal

The bee and wasp removal crews are responsible for the removal of bee and wasp nests. These two-person crews operate from the same light-duty vehicles used by the rodent baiting crews. A laborer is responsible for removing the nests while an MTD drives the vehicle and watches the laborer in case he or she were to become injured.

5. Park Abatement

The park abatement crews set traps and place rodent poison on Chicago Park District grounds. The laborer and MTD comprising each crew have the same duties as they would on the rodent baiting crews. The crews operate from light-duty vehicles.

6. Sewer Baiting

The sewer baiting crews set traps and place rodent poison in sewer openings. The crews operate from light-duty vehicles. Sewer Baiting also uses a two-person crew: a laborer sets and baits the traps, and an MTD who drives the laborer and stays on-site in case the laborer were to fall into the sewer and become injured.

7. Analysis of the Efficiency of MTD Responsibilities

Rodent Control could be in a position to eliminate its MTD positions if contract provisions were amended to allow other workers in the bureau to operate vehicles. This review indicates that the MTDs provide little service to the bureau outside of their primary responsibility to drive the vehicles and transport the laborers. Most of the services being performed by the work crews in Rodent Control are being accomplished by the laborers, and the driving functions could, from an operational stand-point, be performed by the laborers, as well.

The IGO acknowledges that in some limited instances, two or more individuals may be necessary to accomplish the job, such as when disposing of large animals. The IGO also recognizes that the Rodent Control crews face occupational hazards. However, nearly all of the functions performed by Rodent Control can be accomplished with only one worker, and it does not make logical sense for driving duties and baiting functions to be separated into two positions. Also, the fact that some jobs may occasionally require two individuals does not provide adequate justification for maintaining both an MTD and laborer on every work crew.

Based on the fact that only in certain circumstances on the dead animal recovery crews will an additional worker be needed, the IGO believes that all 40 active MTD positions could and should be eliminated if contract provisions were changed to allow laborers to drive Rodent Control vehicles.

## **D. Bureau of Street Operations**

Street Ops is responsible for performing teardowns of condemned garages and lot cleaning for areas affected by illegal fly dumping.<sup>45</sup> Streets Ops also handles the drop-off recycling program<sup>46</sup> for City residents not covered by the Blue Cart program, and Street Ops oversees cleaning operations in the Loop.

Street Ops has 30 active MTDs and one MTD with medical limitations assigned to the bureau on a regular basis. Most of the MTDs are assigned to work in one of four sections: garages, lot cleaning, recycling, and loop operations.

In the winter months, Streets Ops coordinates the City's snow removal program. As part of this program, Street Ops acquires approximately 56 additional MTDs from other DSS bureaus in the winter. These extra MTDs are detailed to Street Ops to prepare snow removal equipment for operation and are the first line of defense against snow events.

Additionally, for major snow events, Street Ops coordinates the City's snow teams that are comprised primarily of MTDs. The snow teams are assembled from existing staff within DSS and other departments. For instance, MTDs from each DSS bureau may be pulled off their existing assignments to drive snow plows or operate salt spreaders during snowstorms.

### **1. Loop Operations**

Street Ops oversees loop operations, which covers garbage collection, street sweeping services and deliveries in the downtown area. Streets Ops has a minimum of about 15 MTDs detailed to loop operations throughout the year but the number of MTDs increases to approximately 35 from November to April. These additional drivers are detailed to Streets Ops from Sanitation.

In the winter months, the additional drivers from Sanitation prepare the City streets in anticipation of snow events. They are deployed to spread salt to help reduce snow accumulation and prevent black ice on the City's arterial roads. Their work is most critical during the evening rush hours when temperatures can fall below freezing and roads can become icy. Street Ops usually has about nine MTDs performing salt spreading during the afternoon and thirteen MTDs during the overnight hours. On days when there is no expected snow event, the extra MTDs are assigned to street sweeping duties.

### **2. Lead Men and Other MTD Duties**

As mentioned above, Streets Ops acquires 56 additional MTDs during the winter months from other DSS bureaus, mostly from Sanitation. Approximately 22 of these additional MTDs are assigned to loop operations to combat snow events (discussed above) and the 34 others serve as "lead men."

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<sup>45</sup> Fly dumping is the dumping of any waste material on public or private property without a permit. [http://www.cityofchicago.org/city/en/depts/streets/provdrs/street/svcs/illegal\\_fly\\_dumping.html](http://www.cityofchicago.org/city/en/depts/streets/provdrs/street/svcs/illegal_fly_dumping.html)

<sup>46</sup> [http://www.cityofchicago.org/city/en/depts/doe/provdrs/waste\\_mang/svcs/find\\_a\\_recyclingdropoffcenter.html](http://www.cityofchicago.org/city/en/depts/doe/provdrs/waste_mang/svcs/find_a_recyclingdropoffcenter.html)

Streets Ops has approximately 30 lead men who are responsible for maintaining the salt and plow trucks in anticipation of the City's snow program. Their general duties include installing plow blades, performing preventative maintenance and performing minor repairs on downed vehicles. The lead men also drive the snow trucks as they are being loaded with the salt mixtures.

Two additional lead men serve as "mixologists." The mixologists are responsible for formulating the road treating mixture, which is a combination of salt and beet juice.

Lastly, two more lead men are in charge of overseeing the equipment in the snow programs and managing the rest of the lead men.

### 3. Garages

Streets Ops performs tear downs of garages that have gone through the City's condemnation process. The garage crews pull down the structures and carry away the debris in 20-yard or 50-yard trucks. Each garage crew has an MTD, a laborer and an operator. During the winter when the focus of the bureau is on snow, Street Ops usually has one or two garage crews in operation. The rest of the year, two to three crews are in operation. The MTD on each crew is responsible for driving the dump truck, while the operator uses an excavator to tear down the garage. The laborer is responsible for collecting the debris and placing it in the dump truck.

### 4. Lot Cleaning

Street Ops also performs lot cleaning at locations affected by illegal fly dumping. Each lot cleaning crew has an MTD, a laborer and an operator. During the winter when the focus of the bureau is on snow, Street Ops has two lot cleaning crews, while the rest of the year, three to four crews are in operation. Like the garage crews, the MTD drives a 20-yard or 50-yard truck used for disposal purposes. The operator on the crew operates a front-end loader. The laborer hand-cleans the site and issues tickets.

### 5. Recycling

Streets Ops provides collection services for the City's 37 recycling drop-off centers. The recycling crews pick up the collection boxes in a hook truck and transport the refuse to a recycling facility. The recycling crews usually consist of just a single MTD but may include a laborer if materials are scattered on the ground. The MTD is not required to get out of the truck to clean up the site. Streets Ops has four recycling crews.

### 6. Litter Boat

Streets Ops has a litter boat that patrols the Chicago River for floating trash and debris. The boat is operated by an MTD who also holds a captain's license. The MTD is accompanied by a laborer for safety reasons.

7. Analysis of the Efficiency of MTD Responsibilities

Due to the restrictions of the current CBA, the responsibilities of some MTD positions within Street Ops are not efficient. The positions on the garages and lot cleaning crews simply require MTDs to transport personnel and equipment and then wait while the other crew members perform work at jobsites.

In contrast, several other crews in Street Ops appear to have relatively efficient divisions of labor due to their limited number of crew members. In particular, recycling and loop operations present relatively favorable work models since the MTDs usually drive alone and their vehicles are in constant operation.

Street Ops would likely realize some cost savings from less restrictive contract provisions. Street Ops could potentially eliminate the MTDs from the garages and lot cleaning crews and reassign driving duties to the laborers. This would result in the elimination of three to seven MTD positions.

**E. Bureau of Traffic Services**

The Bureau of Traffic Services (Traffic Services) is responsible for performing vehicle towing and relocation services. The bureau also provides support for public events and emergency operations, including the delivery of barricades and traffic cones for traffic and crowd control.

Traffic Services has 54 active MTDs assigned to two divisions: towing/relocations and traffic patrol. Currently, 35 MTDs are assigned to towing/relocations and 19 are detailed to traffic patrol.

Traffic Services also has four non-active MTDs from towing/relocations that are on duty disability and two MTDs on medical leave. In traffic patrol, one MTD is on duty disability and one MTD is on medical leave.

1. Towing/Relocations

The MTDs in the towing/relocations division are responsible for patrolling the Central Business District (CBD) and towing vehicles that are in violation of parking restrictions. The MTDs who patrol the CBD are permitted to write parking citations and they work with the Chicago Police Department in the 1st and 18th Districts.

Traffic Services usually has seven to nine towing/relocations crews in the CBD during normal business hours, and two to three crews during the evening and overnight hours.

In addition to towing, Traffic Services operates a City-wide relocation service that moves vehicles that are obstructing utility service crews (e.g., water, gas, electric) or vehicles that have been involved in traffic accidents.



Towing/relocations crews also patrol Lake Shore Drive for downed vehicles. Traffic Services keeps a minimum of two patrol crews on Lake Shore Drive at all times.

Each towing/relocations crew consists of a single MTD assigned to a tow truck.

## 2. Traffic Patrol

Traffic patrol is divided into five sub-divisions: traffic change, iron barricades, blue barricades, cone delivery and placement, and posting.

### *(a) Traffic Change*

Traffic change is responsible for reversing the flow of traffic on Lake Shore Drive at North Hollywood Avenue. Traffic Services has four to five MTDs from the midnight shift assigned to the section who place cones each morning beginning at 5 A.M. to create additional southbound lanes. Around 10:00 A.M. the cones are retrieved by MTDs working the day shift. When not performing traffic change duties, the MTDs perform other traffic patrol duties like posting signs or delivering barricades.

Traffic change usually operates two pick-up trucks and, if available, a tow truck as a back-up vehicle. Two MTDs are assigned to each pick-up truck, and one MTD is assigned to the tow truck. In each pick-up truck, one MTD is responsible for driving the vehicle and the other MTD drops the cones while the vehicle is moving.

### *(b) Iron Barricades*

Iron barricades is responsible for delivering and assembling metal barricades used for large public events, like parades and the Chicago Marathon. Each iron barricades crew has four laborers and one MTD.

The MTD drives a semi-truck with an attached trailer. The MTD drives the vehicle down the designated route while the laborers remove the barricades and place them in the designated locations.

### *(c) Blue Barricades*

Blue barricades is responsible for the delivery of the blue police barricades that are used for smaller public events, such as block parties and neighborhood festivals.

Each crew is assigned two laborers and one MTD. The MTD drives a stake body truck and the laborers unload the barricades. Occasionally, a crew with only an MTD will deliver the barricades in a pick-up truck if fewer than ten barricades are needed at a location.

(d) *Cone Delivery and Placement*

Cone delivery and placement is responsible for delivering, placing and picking-up cones for traffic control. Each crew has one laborer and one MTD. The crews operate in either a pick-up truck or stake body truck.

The MTD is responsible for driving the vehicle and the laborer is responsible for setting the cones as the vehicle moves down the road.

(e) *Posting*

Posting is responsible for hanging and removing temporary parking restriction signs. Each crew has either one MTD or one laborer. Posting operations are performed with a pick-up truck.

3. Analysis of the Efficiency of MTD Responsibilities

Overall, Traffic Services has demonstrated an efficient use for many MTD positions.<sup>47</sup> Many of its work crews – such as towing/relocations and posting – consist of a single MTD while several others – traffic change, iron barricades and cone placement – involve work situations where a moving vehicle is needed to accomplish job duties. However, there is one crew in Traffic Services that might be able to reduce or eliminate its need for MTDs if contract provisions were amended to allow for an expansion of job responsibilities: blue barricades.

This review shows that the MTDs are used on blue barricades crews to transport barricades and laborers but are generally not needed once they have reached the work site. Unlike the iron barricade crews, where trucks are moving as the barricades are delivered, the vehicles in the blue barricades crews are usually stationary at each work site. As a result, Traffic Services likely could eliminate one or two MTD positions if laborers were permitted to drive vehicles.

**F. Summary**

The sections above describe that based on current operational configurations DSS generally uses its MTDs efficiently. In the parts of DSS’s operations in which MTDs are most used, garbage collection and snow removal, there is an efficient division of labor between MTDs and other work crew members. However, in several smaller bureaus of DSS, the use of MTDs is inefficient.

The most inefficient use of MTDs within the department is in Rodent Control. In this bureau, MTDs are used almost exclusively to transport laborers to jobsites and then stand by as laborers perform various tasks. There is little operational need for almost all of the MTD positions in this bureau. In the absence of work rule restrictions that prevent laborers from driving these vehicles, the IGO believes that all 40 MTD positions in Rodent Control could and should be eliminated.

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<sup>47</sup> Prior to 1985, MTDs within Traffic Services were not in a bargaining unit and had the title of Traffic Patrol Servicemen. Under this title, these positions were responsible for additional tasks such as the placing of cones on City streets. This historical practice helps explain why MTDs in Traffic Services perform more duties than MTDs in some other parts of City government.

Besides Rodent Control, the bureau with the most inefficient use of MTDs is Forestry. Twenty-one of the current MTD positions in Forestry are performing responsibilities that could easily be performed by another member of the tree trimming and tree removal crews.

The other bureau where a substantial number of MTD positions could be eliminated is Street Ops. MTDs that work on the garage and lot cleaning crews in Street Ops transport workers to jobsites and then do not participate in the work of either crew. Five to seven of these crews operate when Streets Ops is not dealing with snow removal, but only three to four of these crews operate in the winter as drivers are shifted over to snow-related duties. Therefore, the IGO believes three to seven MTDs positions typically assigned to Street Ops could and should be eliminated if contract provisions were changed.

The table below summarizes the inefficient MTD positions, in terms of job duties, within DSS.

**Table #4 – Summary of Inefficient MTD positions within DSS**

<b>Bureau</b>	<b>Number of MTDs not used Efficiently</b>
Rodent Control	40
Forestry	21
Street Operations	3 to 7
Traffic Services	1 to 2
Sanitation	0
<b>Total</b>	<b>65 to 70</b>

**V. CHICAGO DEPARTMENT OF AVIATION**

CDA is responsible for the management, planning, design, operation and maintenance of O’Hare International Airport and Midway International Airport. CDA also manages the O’Hare Modernization Program, which is a project intended to reconfigure O’Hare’s existing runway layout into a modern parallel arrangement to reduce flight delays and increase capacity.

CDA’s operations are heavily regulated by the U.S. Department of Transportation and the Federal Aviation Administration. All activities at O’Hare and Midway must comply with FAA Regulation Part 139, which mandates that CDA have sufficient and qualified personnel on staff to comply with all requirements of the department’s Airport Certification Manual. CDA is required to have staff on-site 24 hours a day, 7 days a week.

CDA employs a range of approximately 260 to 400 career service and seasonal MTDs in its Vehicle Services Division depending on the time of year. The Vehicle Services Division provides logistical support (equipment and personnel) for all airport operations, both airside and landside.<sup>48</sup> CDA has approximately 950 pieces of equipment, including light, medium, and heavy-duty vehicles, and special purpose vehicles, such as snow plows and de-icing trucks.

<sup>48</sup> Airside and landside are the areas of an airport that are divided by security checkpoints. Airside is the area beyond security that is restricted only to airport employees and passengers with valid tickets. Airside also

### **A. MTD Responsibilities**

The day-to-day activities of MTDs at CDA include snow plowing, clearing runways of foreign objects, cutting grass, escorting emergency response vehicles, and providing shuttle transportation for City employees. MTDs also participate in Secret Service escorts for the U.S. President and other dignitaries when necessary. In addition, MTDs transport members of other trade unions, like painters and electricians, around the airports and they deliver mail to the various CDA buildings.

MTDs are also used to ensure safety and security on the airside during construction projects. MTDs escort contractors and delivery vehicles to and from work sites around the airports to prevent them from straying onto active runways and taxiways. MTDs drive a lead vehicle and the other trucks follow. MTDs also position trucks at certain points on the airfield to act as “blockers” that physically restrict vehicle movement.

Career service MTDs receive specialized training that grants them access to the airside areas around the airports and allows them to serve as lead drivers for snowplow crews. The career service MTDs that have authorization to operate on the airside wear identification badges with special designations.

CDA has implemented a training program as a safety measure to ensure that only experienced and qualified MTDs drive near the most hazardous and risky areas. This practice limits “incursions,” which are instances where a driver crosses an active runway and risks an accident with a plane.

Seasonal MTDs are not authorized to drive unescorted on the airside and are normally restricted to landside areas, which include service roads, parking lots, and passenger roadways. Seasonal MTDs are allowed to operate on the airside only if they are accompanied by a trained career service MTD.

### **B. Analysis of the Efficiency of MTD Responsibilities**

CDA appears to use its MTDs in a relatively efficient manner. In many instances, the MTDs operate alone and drive vehicles throughout the day. Opportunities to reduce costs by shifting driving duties to other workers or crew members appear limited in several situations. Nonetheless, there are some job functions where MTD job duties seem unnecessary or duplicative, particularly when they are driving other City workers who, in theory, should be able to drive themselves.

CDA could be in a position to eliminate or reassign several MTD positions if contract provisions were amended to allow more flexibility in driving responsibilities. For instance, CDA might be able to end the practice of using MTDs to drive workers such as painters, carpenters, and electricians to airside facilities, thereby reducing the number of MTDs employed by the

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encompasses areas accessible to aircraft, including runways, taxiways and ramps. Landside is the area before security that is generally open to members of the public. Landside generally includes parking lots, ticketing desks and luggage pick-up areas.

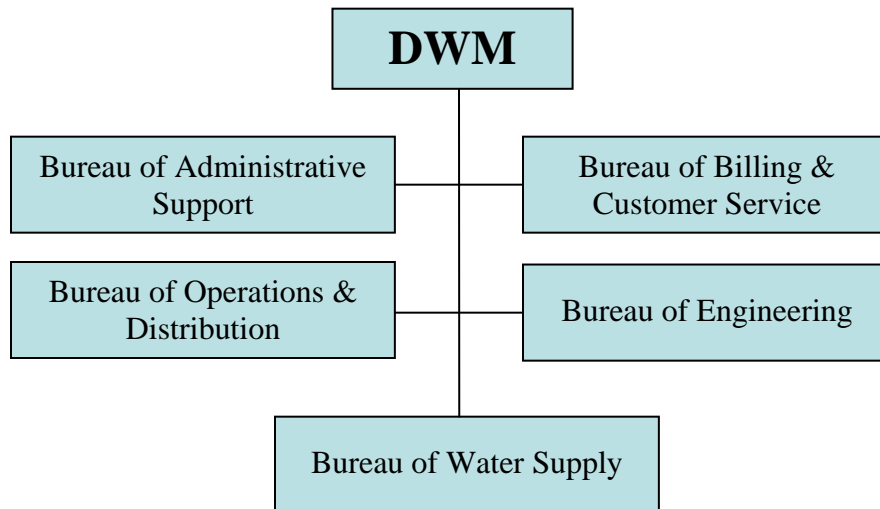
<http://en.wikipedia.org/wiki/Airport>

department. CDA might also be able to eliminate the use of MTDs for mail deliveries and shuttle services.

However, due to the Federal regulations affecting O’Hare and Midway, additional review is needed before any specific recommendations can be made regarding the elimination or reassignment of MTD positions. CDA is inherently a complex department and any proposed changes to the department’s operations must be evaluated for their impact on CDA’s compliance with safety and security regulations. Also, any operational recommendations must take into account training programs and policies that CDA has implemented to minimize airside and landside risks. Since these additional considerations are beyond the scope of this particular report, further analysis is required, and any findings or recommendations are expected to be addressed in a future report.

**VI. DEPARTMENT OF WATER MANAGEMENT**

DWM is responsible for delivering close to one billion gallons of fresh pure water to the residents of Chicago and 125 suburban communities every day. DWM is also responsible for removing the waste water and storm runoff from the streets of Chicago via the City’s sewer system and delivering the waste water for treatment to the Metropolitan Water Reclamation District of Greater Chicago. These duties are all accomplished through a network of purification plants, tunnels, pumping stations, water mains, sewer mains, valves and structures that require constant upkeep and maintenance. DWM is organized into 5 bureaus shown in the chart below:



Currently, DWM employs approximately 220 active MTDs across the entire department, with an additional 15 to 20 MTDs on various types of leave. MTDs are primarily employed by DWM in the Bureau of Operations & Distribution (BOD), with a handful assigned to Meter Services and DWM’s pumping stations.

## **A. Bureau of Operations & Distribution**

BOD is responsible for installing, maintaining and repairing the City's water and sewer systems, which include over 47,000 fire hydrants, 48,000 water control valves, 56,000 sewer structures and a combined total of over 9,000 miles of water and sewer mains. BOD has approximately 200 MTDs that are assigned to ten different work crews.

### **1. Leak Crews**

Leak crews respond to leaks on water mains and service lines. Typically, the crews work on two to three leaks per day. Sixteen to seventeen leak crews operate daily. From the spring through the fall, twelve crews work during the day shift, three in the afternoon, and one at night. In the winter, ten crews work during the day shift, four in the afternoon and three at night. Each crew is staffed with three to four construction laborers, two MTDs, one plumber or caulker, and one or two hoisting engineers. One of the MTDs on each leak crew is primarily responsible for driving a service truck, which transports personnel and materials to work sites. At the work site, the other members of the crew work to address the leak, while the MTD that drives the service truck does not participate. The second MTD on each leak crew drives a dump truck, which dirt and debris from the leak site is loaded into. This second MTD drives loads of dirt and debris from jobsites to dumpsites.

### **2. Valve Maintenance Crews**

Valve maintenance crews perform maintenance on the 48,000 valves on the City's water system. BOD operates three valve maintenance crews, each consisting of one plumber or caulker, two construction laborers, and one MTD. The crew travels in a vehicle with an automated valve machine, which can quickly turn valves on and off. The MTD's primary responsibility is to transport the crew to and from jobsites and does not participate in the work of the crew at jobsites.

### **3. Hydrant Crews**

Hydrant crews repair and replace fire hydrants. BOD operates nine hydrant crews during the winter months and six crews during the rest of the year. Like the valve maintenance crews, the hydrant crews consist of one plumber or caulker, two construction laborers, and one MTD. Crews travel in service trucks, equipped with a "jerking gun" that allows them to pull up the complete fire hydrant, seven feet of which is below street level. This allows the crews to make repairs on fire hydrants without disrupting the concrete that encases the hydrant. As with the valve maintenance crews, the MTD on each hydrant crew is primarily responsible for transporting the crew to and from jobsites and does not participate in the work of the crew at jobsites.

### **4. Investigation Crews**

Investigation crews respond to 311 complaints of leaks and act as a triage unit to determine the extent of reported problems and to prioritize the bureau's response to complaints. There are 18 investigation crews, each consisting of one plumber or caulker, one construction laborer, and one

MTD. As with the valve maintenance and hydrant crews, the MTD on each investigation crew is primarily responsible for transporting the crew to and from jobsites and does not participate in the work of the crew at jobsites.

#### 5. Bricklayer Crews

Bricklayer crews rebuild catch basins, typically one to two per day, or if the basins are too deteriorated, they can also replace them. Bricklayer crews are composed of a sewer bricklayer and two construction laborers. BOD currently operates 46 to 47 bricklayer crews. Thirty nine MTDs work with the bricklayer crews but are not assigned to each crew. Rather, one MTD supports multiple crews by delivering materials to different jobsites and picking up debris.

#### 6. Vactor Crews

Vactor crews clean and remove debris from sewers and catch basins. There are six vactor crews currently operating across the City. Each crew consists of an MTD, a construction laborer, and a hoisting engineer. The MTD is responsible for transporting a laborer and hoisting engineer but has no other substantial job responsibilities. In contrast, the hoisting engineer on the vactor crew is responsible for operating the vactor unit which vacuums out debris, and the laborer is responsible for assembling pieces for the vactor unit and decanting the disposal tanks of excess water as debris is removed from the sewers. The laborer is also responsible for filling and maintaining the water tanks that accompany a separate rodding device that the hoisting engineer uses to break up solid objects that are obstructing the sewers.

#### 7. Complaint Crews

Complaint crews are responsible for the removal of solid and heavy debris from catch basins. The complaint crew functions similar to the vactor crew, but handles items too big for the vactor trucks. DWM has eight complaint crews, which are comprised of one construction laborer, one MTD and one hoisting engineer. The crews operate in a truck with a device called an “orange peel,” so named for its similarity to an orange rind.<sup>49</sup> The MTD is responsible for transporting a laborer and hoisting engineer but has no other substantial job responsibilities.

#### 8. Cleaning Crews

The cleaning crews are a combination of the vactor crews and complaint crews. The vactor trucks and orange peel trucks work in tandem to clean catch basis and areas under viaducts. DWM has seven cleaning crews that operate from the spring through the fall. Each crew has one construction laborer, one MTD and one hoisting engineer. The MTD is responsible for transporting a laborer and hoisting engineer but has no other substantial job responsibilities.

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<sup>49</sup> An orange peel truck is a truck equipped with a grappling device called an orange peel. The grapple has several prongs or tines that open and close hydraulically. The tines have flanges that when opened resemble the sections of a peeled orange.

[http://www.recyclingtoday.com/Article.aspx?article\\_id=17424](http://www.recyclingtoday.com/Article.aspx?article_id=17424)

#### 9. Water New Construction Crews

These crews install new water pipes. Typically, the City installs 18 miles of new water pipe annually. There are seven crews currently in operation that typically consist of one foreman of water pipe construction, two plumbers or caulkers, seven construction laborers, seven MTDs, and two hoisting engineers. On this crew, the MTDs are typically needed for purposes of transporting debris away from the work sites and delivering new backfill material to complete the jobs. These MTDs make multiple trips throughout the day.

#### 10. Sewer New Construction Crews

These crews install new sewer pipes. There are four crews currently in operation consisting of one foreman of sewer pipe construction, two sewer bricklayers, four construction laborers, seven MTDs, and two hoisting engineers. Similar to the water new construction crews, the MTDs on this crew are typically needed for purposes of transporting debris away from the work sites and delivering new backfill material to complete the jobs. These MTDs make multiple trips throughout the day.

#### 11. Additional MTDs

There are eight additional MTDs assigned to BOD. Three MTDs serve as foremen performing managerial functions for the rest of the bureau's MTDs. Three other MTDs ferry BOD vehicles to Fleet for preventive maintenance and two additional MTDs transport pipe and tiles to worksites.

#### 12. Analysis of the Efficiency of MTD Responsibilities

BOD could reduce its number of MTDs by approximately 61 to 64 positions if contract provisions were amended to permit job duty flexibility, including allowing other union members to drive vehicles normally operated by MTDs. This review has demonstrated that some MTDs within BOD do not serve critical job functions at the work sites since their vehicles typically remain stationary. On the valve maintenance, hydrant, investigation, vector, complaint, and cleaning crews, the MTDs are primarily responsible for driving material and personnel to work sites but do not perform any significant tasks once the crew arrives at a jobsite. This also applies to the MTD on the leak crew who drives the service truck. These MTDs have a significant amount of downtime while the rest of the crew performs the work. From an operational efficiency standpoint, and if there were not work rule restrictions imposed on the bureau by the Teamsters CBA, BOD could shift driving duties to other workers on the leak (excluding the MTD that drives the dump truck), valve maintenance, hydrant, investigation, vector, complaint and cleaning crews and not experience any significant negative impact to operations. The table below summarizes the inefficient MTD positions in BOD by work crew.



**Table #5-Inefficient MTD Positions by Work Crew in BOD**

<b>Crew</b>	<b>Number of MTDs not used Efficiently</b>
Investigation	18
Leak	16 to 17
Complaint	8
Cleaning	0 to 7
Hydrant	6 to 9
Vactor	6
Valve Maintenance	3
<b>Total</b>	<b>61 to 64</b>
Note 1: The low and high ends of the approximate total will not equal the sum of all low and high ends of the ranges for individual departments because different departments experience the lows and highs at different times of the year. The low ends of the range for the Leak and Hydrant crews are during non-winter season, while the low end for Cleaning is during the winter season.	

However, on the bricklayer, water new construction, and sewer new construction crews, MTDs are driving on a continuous or frequent basis and operating vehicles by themselves. The MTDs are providing value-added services on these crews and the elimination of their positions would result in declines in work efficiency. Thus, even with an amendment to the current contract provisions, BOD would likely retain current staffing levels of MTDs on bricklayer, water new construction and sewer new construction crews. Also, the eight MTDs that serve as foremen, ferry vehicles to Fleet, and transport pipe and tiles to worksites are being used efficiently.

**B. Meter Services**

DWM’s meter services is in the Bureau of Billing and Customer Service and is responsible for the installation of water meters. There are 8 MTDs that are assigned to meter services. These MTDs work on dig crews that assist with the installation of water meters. The dig crews are used whenever DWM needs to gain access to the “B-Box,”<sup>50</sup> which is used to shut off water to the property, or dig vaults for meters that are installed on the exterior of the property. The dig crews usually have a plumber, machinist, laborer and MTD. The MTDs are responsible for driving dump trucks that carry away debris. The MTDs are usually driving continuously and their elimination from the dig crews would negatively impact operations.

**C. Pumping Stations**

DWM also has five MTDs that are detailed to various tasks at the pumping stations and treatment plants. These MTDs perform various duties such as transporting water samples to various testing labs and shuttling materials and supplies around the City. The responsibilities of

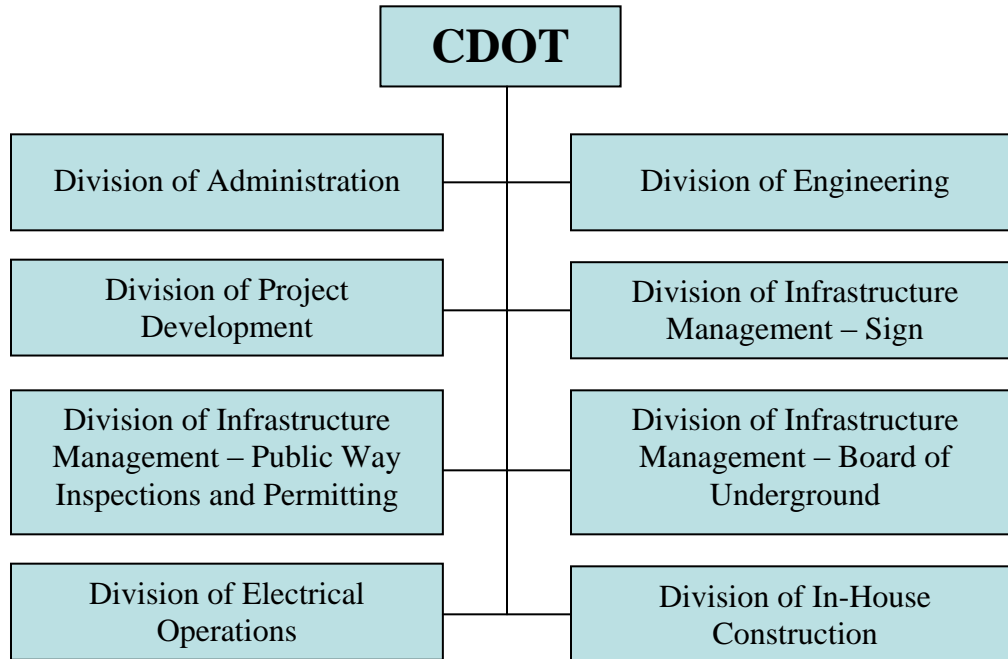
<sup>50</sup> A b-box (also known as a “Buffalo Box” because of its origination in Buffalo, New York) is a type of water service valve that is used to regulate the flow of water into individual properties. The b-box is controlled through the use of a special key.

<http://www.naperville.il.us/b-box.aspx>

these MTDs typically involve them driving continuously and thus the use of these MTDs is efficient.

**VII. CHICAGO DEPARTMENT OF TRANSPORTATION**

The Chicago Department of Transportation (CDOT) is responsible for maintaining and rehabilitating 3,775 miles of City streets, 2,800 signalized intersections, more than 300 bridges and viaducts, and 140 miles of on-street bikeways.<sup>51</sup> The Department is organized into 8 divisions shown in the chart below:



CDOT employs approximately 150 MTDs in the summer, while the number drops to 130 MTDs in the winter. MTDs are primarily employed by two CDOT divisions: the Division of In-House Construction (IHC) and the Division of Electrical Operations (DEO).

**A. Division of In-House Construction**

IHC is primarily responsible for paving and repair of residential streets, alleys, and sidewalks. IHC is also responsible for pothole patching on arterial streets, but the paving of arterial streets and sidewalks, as well as concrete alleys is largely done by private contractors. IHC is organized into asphalt, concrete, signs and bridges sections.

IHC employs MTDs to help carry out its operations. In summer months, IHC employs approximately 90 to 100 MTDs. In the winter months, the number falls to around 70 MTDs largely because less concrete and asphalt work is done in the winter. MTDs within IHC are concentrated in the concrete and asphalt sections, with an additional seven MTDs employed by

<sup>51</sup> City of Chicago. “2011 Program and Budget Summary.” pg. 215.

the bridges section and one MTD assigned to the signs section. The bridges MTDs are mainly responsible for delivering supplies and materials, while the signs MTD drives a lift truck which is used by a sheet metal worker to install signs in elevated locations.

#### 1. Asphalt Section

Within the asphalt section, MTDs (like other section employees) are assigned to one of a number of crew types to perform different tasks. The number of employees working in a certain crew type fluctuates depending on the demand for service. The demand for service comes from several sources: responding to resident complaints (primarily through 311), performing services chosen by the Alderman through the aldermanic menu,<sup>52</sup> and through program-specific, grant-funded work such as Americans with Disabilities Act (ADA)<sup>53</sup> compliance programs. The chart below shows a snapshot of the different crew types and the number of MTDs assigned to each crew type broken down between the winter and summer construction seasons.

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<sup>52</sup> Every year, each of Chicago's 50 wards can address their own specific local infrastructure needs through the Aldermanic Menu Program. In 2011, \$1.32 million per ward was allocated from the CIP (Capital Improvement Program) general obligation bonds to provide a menu of infrastructure project options for the aldermen to select and prioritize. Projects chosen by the aldermen include the repair and upgrade of streets, alleys, curbs, sidewalks, traffic signals, street and alley lighting and street pole painting.

[http://www.cityofchicago.org/city/en/depts/obm/provdrs/cap\\_improve.html](http://www.cityofchicago.org/city/en/depts/obm/provdrs/cap_improve.html)

<sup>53</sup> The ADA is a wide-ranging civil rights law that prohibits, under certain circumstances, discrimination based on disability.

[http://en.wikipedia.org/wiki/Americans\\_with\\_Disabilities\\_Act\\_of\\_1990](http://en.wikipedia.org/wiki/Americans_with_Disabilities_Act_of_1990)

**Table #6-Number of MTDs in Asphalt Section by Crew Type**

Crew Type	Number of MTDs in Summer Construction Season	Number of MTDs in Winter Construction Season
10-hour weekend crews	0	5
Administration	2	2
Alley Cutting	0	1
Alley Grader	1	0
Alley Grinder	1	0
Alley Key Cutting	1	0
Alley Paver	5	0
Asphalt Topping Operation	2	0
Districts	0	4
High Performance Cold Patch (Pothole Patching)	7	21
Lowboy	2	0
Night Crew	2	2
Small Grinder	2	2
Small Grinder (conditioning)	6	0
Street Grinder	2	0
Street Hump	2	0
Street Paver	2	0
Supply	1	0
Tow Trucks	3	0
<b>Total</b>	<b>41</b>	<b>37</b>
Source: CDOT		
Note: The allocation of MTDs provided here is based on snapshots provided by CDOT and does not remain fixed through either the summer and winter construction seasons, but rather changes in response to demands for different services.		

The chart outlines the basic differences between the summer and winter construction seasons for IHC. In summer, the focus of the asphalt section is paving streets and alleys, while in the winter the focus switches to patching potholes.

For the majority of the crews in the chart above, the MTD’s primary responsibility is to drive personnel and materials to jobsites. This is the case for the alley cutting, alley grader, alley grinder, alley key cutting, asphalt topping operation, small grinder, small grinder (conditioning), street grinder, street hump, and street paver crews. For these crews, the MTDs are not typically driving continuously and thus have a significant amount of downtime while the rest of the crew performs work at different jobsites. Additionally, the MTDs assigned to administration and the districts are not normally driving vehicles but rather perform administrative tasks in the case of the MTDs assigned to administration and serve as a reserve force in the case of MTDs assigned to the districts.

Alternatively, there are some crews in which MTDs are driving continuously. The high performance cold patch (pothole patching) and 10-hour weekend (also pothole patching) crews

often require the MTD to drive continuously as asphalt is poured onto the street from the back of a truck and laborers walk behind the truck working to fill several potholes all near each other. Additionally, on the night crews (again, pothole patching), the MTDs provide added protection to the work crews by positioning trucks to serve as blockers. The night crews often work on busy streets, like Lake Shore Drive and Western Avenue. Similarly, the MTDs assigned to alley paving crews are typically continuously driving from a privately-owned asphalt plant to jobsites to pick up and deliver asphalt for alley paving. Lastly, tow-truck crews, lowboys, and supply crews also require continual driving.

2. Concrete Section

Within the concrete section, as in asphalt, MTDs are assigned to one of a number of crew types to perform different tasks. The chart below shows a snapshot of the different crew types and the number of MTDs assigned broken down between the winter and summer construction seasons.

**Table #7-Number of MTDs in Concrete Section by Crew Type**

Crew Type	Number of MTDs in Summer Construction Season	Number of MTDs in Winter Construction Season
311 Bobcat Maintenance	6	2
311 Maintenance / Pour	3	1
311 Stripping / Backfilling	2	1
ADA Frame / Pour / Restore	4	7
Bobcat / Breakout	2	0
Concrete ADA Backfill	3	0
Frame / Replacement	4	0
Sawcut Maintenance	2	2
Vault Replacement	2	5
Yard / Admin	2	2
<b>Total</b>	<b>30</b>	<b>20</b>
Source: CDOT		
Note: The allocation of MTDs provided here is based on snapshots provided by CDOT and does not remain fixed through either the summer and winter construction seasons, but rather changes in response to demands for different services.		

As in asphalt operations, for most of the crews in concrete operations, the MTD’s primary responsibility is to transport personnel, materials, and equipment from jobsite to jobsite. In most of the crews, the MTDs are not typically driving continuously, but rather just transporting the rest of the crew and materials to different jobsites. Once at the jobsite, the MTDs do not participate in the work of these crews.

However, for three types of concrete crews, the MTDs deliver materials and equipment to various crews and thus more typically are performing a function which requires them to drive continuously. These three crews are the ADA frame/pour/restore, frame replacement, and vault replacement crews.

3. Analysis of the Efficiency of MTD Responsibilities

IHC could reduce its MTD positions by approximately 17 in the winter and 41 in the summer if contract provisions were amended to permit job duty flexibility, primarily by allowing other employees to drive vehicles normally operated by MTDs. The table below summarizes the number of inefficient MTD positions by work crew in the summer and winter construction seasons.

**Table #8-Summary of Inefficient MTD Positions within IHC**

Section	Crew Type	Number of MTDs not used Efficiently in Summer Construction Season	Number of MTDs not used Efficiently in Winter Construction Season
Asphalt	Administration	2	2
Asphalt	Alley Cutting	0	1
Asphalt	Alley Grader	1	0
Asphalt	Alley Grinder	1	0
Asphalt	Alley Key Cutting	1	0
Asphalt	Asphalt Topping Operation	2	0
Asphalt	Districts	0	4
Asphalt	Small Grinder	2	2
Asphalt	Small Grinder (conditioning)	6	0
Asphalt	Street Grinder	2	0
Asphalt	Street Hump	2	0
Asphalt	Street Paver	2	0
Concrete	311 Bobcat Maintenance	6	2
Concrete	311 Maintenance / Pour	3	1
Concrete	311 Stripping / Backfilling	2	1
Concrete	Bobcat / Breakout	2	0
Concrete	Concrete ADA Backfill	3	0
Concrete	Sawcut Maintenance	2	2
Concrete	Yard / Admin	2	2
	<b>Total</b>	<b>41</b>	<b>17</b>

On the alley grader, alley grinder, alley cutting, alley paver, asphalt topping operation, small grinder (conditioning), small grinder, street grinder, and street paver crews, MTDs transport hoisting engineers and the equipment they operate. Because they operate heavy machinery, hoisting engineers are required to have CDLs.<sup>54</sup> Although hoisting engineers generally have the qualifications required to transport themselves and the equipment they operate to jobsites, they cannot because the MTDs’ CBA dictates that “any work which has been traditionally performed by employees who are represented by the Union shall continue to be performed by said

<sup>54</sup> “Hoisting Engineer” Minimum Qualifications, available at: [http://www.cityofchicago.org/city/en/depts/dhr/supp\\_info/operation\\_constructionservices7600series.html](http://www.cityofchicago.org/city/en/depts/dhr/supp_info/operation_constructionservices7600series.html)

employees.”<sup>55</sup> If the CBA restrictions were eased and the MTD positions on these crews were eliminated, IHC could turn over the MTDs’ responsibilities to the hoisting engineers generally without them needing any additional training.

Even in the absence of CBA restrictions, IHC would still need to maintain MTDs on some work crews, primarily those discussed above that have MTDs delivering materials to various sites and those that have trucks moving on a consistent basis. Crews that would continue to use MTDs in the absence of CBA restrictions are high performance cold patch, 10-hour weekend, night crews (all 3 crews involved in pothole patching), tow trucks, lowboy, supply, ADA frame/pour/restore, frame replacement, and vault replacement.

#### 4. Additional Potential Efficiency

On the alley paving crews, IHC currently employs 5 MTDs on each crew, who travel back and forth to a privately-owned asphalt plant to pick up and deliver asphalt to jobsites. However, on street paving crews, the private asphalt manufacturer delivers asphalt to jobsites eliminating the need for City MTDs to pick up the asphalt from the manufacturer’s asphalt plant. The difference between the alley and street paving crews is that smaller 10-ton trucks are needed to deliver asphalt to alley jobsites because power and telephone lines hang lower over alleys, meaning that as larger 20-ton trucks dump their loads they may damage the lines. Despite the need for smaller trucks, the City’s private asphalt contractor only delivers asphalt in 20-ton trucks meaning that City MTDs must drive smaller 10-ton trucks to the private asphalt plant to pick up asphalt for alley paving. If the contractor were required to deliver asphalt in 10-ton trucks to alley paving jobsites, the City could reduce the need for MTDs on these crews.

### **B. Division of Electrical Operations**

The Division of Electrical Operations (DEO) within CDOT is responsible for installing, maintaining and repairing street lights and traffic lights throughout the City. Additionally, the City uses private contractors for capital projects related to street and traffic lights. Currently, DEO employs 51 MTDs – 49 of whom are active – who support the division’s operations. DEO also has four foremen of MTDs.

#### 1. Construction-Overhead, Underground, and "Combo" Crews

Overhead crews are responsible for setting streetlight poles, while the underground crews are responsible for trenching electrical lines. DEO has seven to nine construction overhead/underground crews in operation daily. The crews usually have one MTD, one foreman of linemen, two linemen, two laborers and sometimes an operating engineer. The overhead/underground crews are served by a platform truck that has a boom arm with a bucket that can be used to reach heights over 30 feet. The platform truck is the largest vehicle operated by DOE. The MTD drives the platform truck but does not participate in construction activities.

#### 2. Construction-Capital Improvement Projects (CIP)

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<sup>55</sup> City of Chicago. “Collective Bargaining Agreement Between Teamsters Local 726 and City of Chicago.” Effective July 1, 2007 through June 30, 2017. pg. 94.

These crews are responsible for changing out streetlights and installing “piggyback” lights. Piggyback lights are the lights attached to street poles that hang over the sidewalks. There are one to two CIP crews in daily operation. The CIP crew usually has one MTD, one foreman of linemen and one to two linemen. The crew is accompanied by a bucket truck that is driven by the MTD. The MTD does not participate in construction activities once the truck arrives at the work site.

### 3. Operations-Small Gangs

The small gangs crews perform restoration work for DEO. The crews respond to emergency calls of downed poles and lights. DEO has seven to eight small gangs crews working on a daily basis. Each crew has one MTD, one foremen of lineman, one to two linemen and one laborer. The MTD drives the crew in a double bucket truck but does not participate in the jobsite activities.

### 4. Operations-Street Light Repairs

The street light repair crews are responsible for maintaining and repairing street lights on arterial and residential streets. DEO has a total of 16 to 18 crews that operate daily. Each street light repair crew has one MTD, one street light repairman and one lamp maintenance man. The crews use single bucket trucks and bucket vans, which are both driven by the MTDs. The MTDs do not participate in the repair activities at the jobsite.

### 5. Operations-Traffic Truck/Relamping

The relamping crews perform preventative maintenance on street and traffic lights, installing new lights section by section throughout the City. DEO has two to three daily relamping crews. Each crew has one MTD and one lamp maintenance man or lineman. The crew uses a small bucket truck that is driven by the MTD. The MTD is not involved in jobsite activities.

### 6. Support

These crews consist of a single MTD who is responsible for delivering materials and supplies to work crews. The MTDs also pick up debris, like old light poles, from work sites and dispose of the waste. The MTDs who pick up debris are accompanied by a laborer. The MTDs in the support group also drive vehicles to Department of Fleet Management (Fleet) facilities for preventative maintenance and refueling. DEO has are nine to fifteen support crews depending on MTD availability.

In addition to the crews mentioned above, DEO has an “E-man” MTD that serves as a back-up driver during both the day and afternoon shifts. The “E-man” may also drive new vehicles out to work crews when vehicles break down.



7. Analysis of the Efficiency of MTD Responsibilities

MTDs within DEO are largely responsible for transporting personnel, equipment, and materials from jobsite to jobsite. There is a large variation in the number of jobs performed by each crew. For instance, in the case of construction-overhead, underground, and “combo” crews, the crew may only perform one job per day, while the operations-street light repairs crews may perform several jobs a day. The MTDs are not involved in performing construction work once the crews reach their sites. In some instances, the MTDs may wait in the vehicles for seven hours while construction work is being performed.

Like other City departments, DEO is required to use an MTD to haul materials and supplies to jobsites, as this is their “traditional” work and thus protected by the CBA. This restriction can create problems with scheduling work crews when the MTDs are unavailable due to vacations, or sick leave. When this occurs, DEO may lack enough MTDs to transport its work crews. If the CBA restrictions were removed, DEO could eliminate the need for approximately 35 to 42 MTDs by shifting the responsibility for driving work crews to jobsites to the electricians (linemen) who work on most DEO crews. The table below details the number of inefficient MTDs by work crew.

**Table #9- Inefficient MTD Positions by Work Crew in DEO**

<b>Crew Type</b>	<b>Number of MTDs not used Efficiently</b>
Construction-Overhead, Underground, and "Combo"	7 to 9
Construction-Capital Improvement Projects (CIP)	1 to 2
Operations-Small Gangs	7 to 8
Operations-Street Light Repairs	16 to 18
Operations-Traffic Truck/ Relamping	2 to 3
E-Man	2
<b>Total</b>	<b>35 to 42</b>

The only crews in DEO that would retain MTDs are the support crews, as the MTDs on these crews are typically driving continuously.

**C. Summary**

Within the current work rules imposed by the existing CBAs, job responsibilities are not efficiently divided between MTDs and the other members of the crews they work on. About half of the MTD positions within CDOT require MTDs to transport personnel and materials to jobsites and then wait around while the other members of the crew work. This less than optimal division of labor is the result of traditional work practices enshrined by the CBAs that have defined the responsibilities of MTDs within CDOT as primarily to transport personnel, materials, and supplies to jobsites.

If CDOT was not confined by the current CBA, it could significantly reduce the number of MTD positions within the Department. If CDOT was able to transfer the MTDs' responsibilities to other employees that work in the same work crews, it could eliminate approximately 50 to 80 MTD positions. Currently, the MTDs in these positions drive work crews to and from jobsites, but do not otherwise participate in the crew's work and are not continuously driving. Even if CDOT was able to make these changes, it would need to retain 70 to 80 MTDs to perform tasks that require continuous driving.

## **VIII. DEPARTMENT OF FLEET MANAGEMENT**

Fleet is responsible for the repair, maintenance and inventory of approximately 12,400 vehicles and pieces of heavy-duty equipment owned by the City of Chicago. Fleet also services vehicles owned and operated by the Chicago Park District, the Chicago Housing Authority and the Chicago Transit Authority.

Fleet has a total of 35 employees with the title of MTD, six employees with the title of MTD-Tire Repair and one employee with the title of Foreman of MTD. Most MTDs within Fleet usually work Monday through Friday from 7:00 A.M. to 3:30 P.M., but some work an evening or overnight shift. Currently, 5 MTDs are on leave of absence for duty disability.

Fleet has 14 facilities across the City, with its main facility at North Avenue and Throop Street. Fleet's MTDs are generally assigned to one of two divisions: equipment project management or police motor maintenance.

### **A. MTD Responsibilities**

In general, the MTDs within Fleet are responsible for shuttling equipment and vehicles in need of repair or preventative maintenance. At Fleet's Throop Street facility the MTDs drive vehicles from the "down lot"<sup>56</sup> to the maintenance bays, where the vehicles are serviced by Fleet's machinists. After the vehicles have been repaired, the MTDs drive the vehicles off the maintenance bays to the "good lot,"<sup>57</sup> where the vehicles are retrieved by MTDs from the various user departments.

MTDs also shuttle vehicles to and from vendors if a repair is beyond the scope of Fleet's capabilities or if the vehicle is covered by a warranty.

In the fall, Fleet installs snow plow blades on dump trucks that have been used by CDOT. The MTDs travel to the CDOT locations to pick up the vehicles and bring them back to Fleet facilities for conversion. After conversion, the trucks are delivered to DSS for the snow program. This process occurs again in the spring, when Fleet removes the blades and returns the vehicle to CDOT.

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<sup>56</sup> The down lot is a designated space that is used to hold vehicles in need of repair or maintenance.

<sup>57</sup> The good lot is a designated space that is used to hold vehicles that have been serviced and are waiting return to the user department.

During deep freezes, Fleet has a cold start program where MTDs will start the vehicles to prevent the engine blocks from freezing. At locations that use engine block heaters, the MTDs are responsible for ensuring that the heaters are ready for use and are functioning properly.

Fleet also has an MTD who drives a daily shuttle for City employees that runs between the department's main facility and City Hall. The shuttle makes runs three times a day, typically departing from Throop Street at 8:30 A.M., 12:30 P.M. and 2:30 P.M. Fleet also occasionally uses an MTD to transport Fleet employees to meetings around the City.

### **B. MTD-Tire Repair Responsibilities**

The MTD-Tire Repairers are responsible for performing tire repairs in the field. They drive trucks that are stocked with replacement tires and respond to requests for services from crews in vehicles with damaged tires.

### **C. Additional MTD Functions**

Fleet also has two MTDs who perform duties that are not part of the department's maintenance program. One MTD is responsible for driving the press van and the other MTD is responsible for overseeing field inspections.

#### **1. Press Van**

The press van is a vehicle used to transport employees of the Mayor's Office and members of the City Hall press corps to the Mayor's public events. The press van is operated during the work week by a single MTD assigned to the equipment project management division. The MTD who operates the press van receives his driving assignments daily via a Blackberry device. On days that the press van is not in operation, the MTD works at Fleet facilities on preventative maintenance.

#### **2. Field Inspections**

Another MTD assigned to the equipment project management division is responsible for overseeing vendors that provide vehicle washing and cleaning services to the City. This MTD travels to the various sites around the City to ensure that the vehicles have been properly serviced. In addition, this MTD serves as a back-up driver for the press van, provides transport for City employees, performs preventative maintenance and provides transportation for visiting dignitaries as requested by the Mayor's Office.

### **D. Analysis of the Efficiency of MTD Responsibilities**

The MTDs within Fleet generally appear to be used efficiently by the City. The MTDs spend the bulk of their working hours shuttling vehicles to and from service locations. Fleet MTDs are mostly active during the day and they permit the other trade union employees within the department to focus on their core functions, resulting in lower costs. For instance, if Fleet were to have its machinists assume MTD driving duties, in addition to their normal vehicle repair

responsibilities, fewer vehicles could be serviced on a daily basis. Also, using the machinists for both driving and repair functions would be more expensive since machinists are paid approximately \$10 more per hour than MTDs.

Overall, Fleet's division of work duties among its trade workers has a reasonable basis and does not appear to have a significant negative impact on costs or efficiency. Fleet could potentially benefit from less restrictive work rules, but this review does not indicate that changes to collective bargaining agreements would result in any significant reductions in work force.

## **IX. GENERAL SERVICES**

The Department of General Services (DGS) is the City's facility manager for approximately 400 locations. DGS is responsible for maintaining and repairing heating and air conditioning, plumbing, and electrical systems. The department also provides carpentry, painting and other professional trade services.

DGS currently has eight MTDs. Seven MTDs are on active duty and one is on leave of absence for a disability.

Four MTDs are officially assigned to the main DGS facility on Throop Street and the other four MTDs are detailed to a different facility on West Exchange Avenue. The MTDs who work at the Exchange facility are former employees of the Electric, Wire & Construction division of DSS. They moved to DGS in January 2010 when the City eliminated the Bureau of Electricity.

### **A. MTD Responsibilities**

All MTDs at DGS are assigned to a regular Monday through Friday shift from 7:00 A.M. to 3:30 P.M. They are all responsible for performing the following general duties:

- Delivering materials and equipment to work sites;
- Relocating furniture and records for various City departments;
- Assisting the electrical mechanics;
- Assisting the steamfitters with material and equipment deliveries;
- Assisting with special events and parades; and
- Providing support for all City departments.

The MTDs within DGS operate vehicles that are used to move equipment, supplies and workers. Other trade workers in DGS, such as painters and electricians, are permitted to drive themselves and take needed tools to the jobsites on their own when there are available vehicles.

In situations in which there are not enough vehicles or the materials are too large to be transported in a non-CDL vehicle, DGS utilizes the MTDs. In those instances, the MTD is accompanied by a laborer who loads and unloads the materials. The MTD is responsible for transporting the laborer and the materials, securing the load and operating the tail gate lift, if one is used. The MTD is not required to assist the laborer but usually will if the laborer is unable to make the delivery by him/herself.

The MTDs in DGS occasionally drive vehicles that do not require a CDL when deliveries are being made in areas that have limited parking, such as locations within the Loop. In those cases, the MTD stays with the vehicle while the laborer makes the delivery.

MTDs also transport work crews if there are not enough vehicles available for the trade workers to transport themselves.

In addition, MTDs deliver show trailers to various neighborhood events and parades. The show trailers include a bandstand, tables, chairs and fencing. The trailers are towed by an MTD in a CDL vehicle. The MTD is accompanied by a carpenter and a laborer. By law, the show trailers must be followed by a safety vehicle. The safety vehicle is typically driven by the carpenter or laborer. DGS attempts to deliver and set up the show trailers during the week to prevent overtime work.

### **B. North Park Village Shuttle**

DGS also has an MTD who operates a shuttle van at North Park Village (NPV). NPV is a property on the northwest side of Chicago that is owned by the City. The property is comprised of a combination of private apartments for elderly individuals and several non-residential facilities, including a gymnasium and administration building. The private apartments are managed by a private contractor selected and paid for by the City, while the non-residential facilities are maintained by DGS.

The NPV shuttle is a service offered by the City to the apartment residents. The shuttle travels only within grounds of NPV and does not take NPV residents to locations outside of the facility. The shuttle only leaves the NPV property for refueling and preventative maintenance.

The NPV shuttle operates Monday through Friday from 7:00 A.M. to 3:30 P.M. and on Saturdays and Sundays from 8:00 A.M. to 4:00 P.M. One MTD is permanently assigned to the weekday shifts. The weekend shifts are staffed on a rotating basis by the other MTDs in DGS. The weekend shifts result in overtime payments and the shifts are offered to the MTDs based on their seniority.

### **C. Analysis of the Efficiency of MTD Responsibilities**

DGS is negatively impacted by the relatively strict division of work duties among its employees and could eliminate six MTD positions if contract provisions were amended to lessen restrictions on traditional work. In general, MTDs are responsible for driving vehicles, but are not required to move loads to and from the vehicles. In contrast, the laborers are required to move loads, but generally cannot operate the vehicles that transport the loads. These work arrangements result in DGS needing to staff its delivery crews with two workers when many of the functions could be done by just one person.

A more efficient work model would be one in which other non-Teamster union members held CDLs, or where MTDs were required to perform functions similar to the laborers, thus

eliminating the need for workers in that titled position. This alternative work model could result in DGS eliminating its entire need for MTDs, except for the MTD assigned to the North Park Village Shuttle, or a corresponding number of laborers. Because MTDs generally earn more than laborers, the objective of greater savings and efficiencies points to eliminating the MTDs.

The IGO recognizes that some deliveries need two or more individuals to help move delivery items and, therefore, multi-person crews may be necessary in some cases. However, there is not a compelling reason for having at least two individuals on all delivery crews. In light of this review, the IGO believes that if contract provisions were amended to restore management rights to the City, DGS could and should eliminate its use of MTDs (except for the MTD assigned to the North Park Village Shuttle), and strategically deploy its existing staff of laborers as needed to perform the less common deliveries requiring two individuals, thus resulting in a more efficient and cost-effective organization of the DGS's operations.

## **X. LIBRARY**

The Chicago Public Library (CPL) operates the Harold Washington Library Center (HWLC), the Sulzer and Woodson regional libraries and over 70 branch libraries. Each library offers circulating books, public programs, and computer resources.

CPL employs eight MTDs and one Foreman of MTDs, all of whom work Monday through Friday from 8:00 P.M. to 4:30 A.M. The MTDs and Foreman are responsible for the transportation of books and supplies used by the library system. The MTDs drive two-and-a-half-ton box trucks on a regular basis, but they may drive vans on some occasions.

### **A. MTD Responsibilities**

Seven MTDs within CPL are responsible for driving one of six delivery routes. Each work day, these MTDs start at the HWLC to pick up books and supplies that are to be distributed to the branches within their delivery zones. The MTDs then drive to their respective work zones, where they unload their deliveries and pick-up discarded materials and items that need to be transferred to other library branches. Materials and books that are going to branches within the same delivery zone are sorted by the MTDs and delivered during their daily routes. Any items needing to go to branches outside of the delivery zone are brought back to the HWLC, where they are organized and sorted by other staff members at CPL. These other staff members are overseen by a manager not covered by a bargaining unit.

The eighth MTD is responsible for transporting CPL vehicles to Fleet for preventative maintenance. This MTD also delivers materials for any CPL events, such as Book-A-Mania.

MTDs do not drive CPL personnel to meetings or events. The CPL staff uses pool cars for transportation.

## **B. MTD Foreman Responsibilities**

The Foreman of MTDs is responsible for ensuring that the MTDs have their daily assignments, and is also responsible for conducting field visits to ensure that deliveries are being made. In addition, the foreman coordinates with the other divisions at CPL and works with the various library branch managers to ensure that there are no issues with the MTDs. Furthermore, the foreman assigns keys to CPL staff members who request use of the pool cars.

At times, the Foreman of MTDs will cover delivery routes when other MTDs are unavailable. However, this willingness to “act down”<sup>58</sup> has differed for each foreman that CPL has employed over the years. Some foremen have been willing to perform duties that may not be considered part of their normal job responsibilities, while other foremen have refused to drive the delivery trucks, claiming that foremen are not required to perform that function.

## **C. Analysis of the Efficiency of MTD Responsibilities**

CPL provides an efficient model for the City’s use of MTDs. Historical work practices have resulted in these MTDs serving as “working drivers” by performing duties that are usually reserved for members of other unions. The MTDs in CPL not only drive vehicles, but are also responsible for loading and unloading items, a responsibility normally handled by laborers in other departments. In addition, the MTDs in CPL drive alone, do not transport other staff members and generally are active throughout their shift.

Nonetheless, CPL could be in a position to eliminate the Foreman of MTDs position and reassign the Foreman’s duties to the non-union manager who oversees the unit responsible for sorting deliveries. The IGO believes it would be operationally feasible to shift the duties from the Foreman to the manager since the manager is currently familiar with the sorting process and has knowledge about the delivery routes covered by the MTDs.

## **XI. OFFICE OF EMERGENCY MANAGEMENT AND COMMUNICATIONS**

The Office of Emergency Management and Communications (OEMC) is responsible for coordinating the City’s delivery of police, fire and emergency medical services in response to 911 calls. OEMC also operates the City’s 311 system, and it oversees the City’s incident command center and Traffic Management Authority.

OEMC employs four MTDs. The MTDs work on crews that support the department’s information technology, including the City’s Internal Secure Communications Network, which is the backbone to transport voice, data and radio to Police Districts, Fire Houses, Police Headquarters, Fire Headquarters, City Hall and other key 911 facilities.

OEMC has six work crews, four which use MTDs and two which do not. The crews are responsible for a variety of work that includes trouble shooting the fiber optic network, repairing fiber optics and copper wire systems, servicing the camera systems, and power rodding/wire

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<sup>58</sup> Acting down refers to a situation where an individual performs a function or duty that is usually assigned to a job position ranked lower than the individual’s current job position.

pulling. Each work crew usually consists of one or two lineman electricians, a lineman foreman, a laborer and, where necessary, an MTD.

#### **A. MTD Responsibilities**

MTDs drive “splicer” or “power rodding” trucks, while laborers usually drive “bucket” trucks. The splicer trucks are large vehicles that have a work platform that can be raised and lowered while holding two workers. Power rodding trucks are capable of carrying large loads of wire and have equipment that helps the crew pull wire between network access sites. The bucket trucks are smaller vehicles and have a bucket that can be raised or lowered with the truck’s boom to access elevated service sites.

At the work sites, the MTDs are responsible for securing the area and positioning the truck to protect the crew from traffic. The MTDs usually stay on-site and listen to the radio for further instructions. In some instances, the MTDs pick-up and deliver personnel and materials to various work sites.

#### **B. Analysis of the Efficiency of MTD Responsibilities**

Under current CBA contract provisions, OEMC is constrained in how it conducts its operations, from the daily composition of its work crews to the number of vehicles it can have in operation at any point in time. The major reason for these constraints is the “traditional work” provision of the CBA, which has created specific and restrictive job responsibilities for all union members, including the MTDs.

As mentioned above, only MTDs in OEMC are permitted to drive splicing trucks and power rodding trucks, but the MTDs do not participate in activities once the vehicles and crew arrive at their designated works sites. This means that MTDs are being underutilized for significant periods of time each day and the City is spending its limited financial resources on unproductive labor.

Also, the “traditional work” provision of the CBA, which restricts the driving of splicing trucks and power rodding trucks to MTDs, means that the number of heavy-truck crews that OEMC can operate on a daily basis is directly linked to the number of MTDs that are available for work. If all four MTDs appear for work, then OEMC can run up to the same number of splicing trucks and power rodding trucks. However, if no MTDs appear for work on any given day, then some functions would be effectively brought to a stand-still.

If CBA contract restrictions were lifted, there are several changes that could be made to OEMC’s operations that would allow for a reduction in the number of MTD positions. In that case, OEMC could require that all workers on the splicer or power rodding trucks hold CDL licenses, which in turn could result in the elimination of all four MTD positions and the reduction of each work crew by at least one member. In addition, OEMC’s daily operations would be afforded greater flexibility since there would be no restrictions regarding which individuals can drive which vehicles.



## **XII. CHICAGO DEPARTMENT OF PUBLIC HEALTH**

The Chicago Department of Public Health (CDPH) is responsible for making Chicago a healthier and safer City by working to promote health, prevent disease, reduce environmental hazards and ensure access to health care. CDPH is organized into five sections: Public Health and Safety, Public Health Preparedness and Response, Community Relations, Clinical Health, and Administration and Finance.

CDPH employs three MTDs. CDPH also holds a budget line item for a single Foreman of MTDs, but that position is currently unfilled and CDPH has been rotating its MTDs into an “acting up”<sup>59</sup> position. CDPH is working to fill the foreman position but, in the meantime, the MTDs report to the Deputy Commissioner of Finance and Administration.

### **A. MTD Responsibilities**

The MTDs within CDPH are responsible for transporting materials and supplies, delivering mail and taking tests to State testing labs. CDPH has divided the City into four routes and the MTDs are assigned to one of those routes. The MTDs travel to CDPH health clinics, mental health centers, tuberculosis clinics, community service centers and Woman, Infants, and Children (WIC) centers. The vehicles operated by the MTDs are mini-vans and passenger vans.

None of the MTDs are specifically designated to transport individuals in CDPH but they may occasionally provide rides if they fit the MTD’s schedule. CDPH has attempted to move away from using MTDs for individual transport by purchasing taxicab coupons that can be used by CDPH employees when they need to travel around the City.

### **B. Analysis of the Efficiency of MTD Responsibilities**

CDPH appears to utilize its MTDs in a relatively efficient manner. In general, the MTDs operate alone, they drive continually throughout the day and they are usually not involved with transporting other CDPH employees. In light of these circumstances, CDPH would likely gain few operational improvements by amending collective bargaining agreements to permit other CDPH employees to perform the duties of MTDs.

## **XIII. DEPARTMENTS SUMMARY**

As can be seen by the analysis above, most MTDs provide valuable services for the City, including driving snowplows, operating garbage collection trucks, and sweeping City streets. However, other MTDs are tasked with duties that the IGO has found to be redundant and inefficient. These positions are ones in which MTDs transport personnel and equipment to jobsites and then merely *wait* – getting paid to do nothing more than sit in a vehicle – while other City personnel perform various tasks. These positions could easily be eliminated by simply

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<sup>59</sup> Acting up refers to a situation where an individual performs a function or duty that is usually assigned to a job position ranked higher than the individual’s current job position.

having other members of the crew drive City vehicles, which in many cases would not require additional training since other members of the crews already have CDLs.

For example, MTDs working on tree trimming and street light repair crews only drive personnel and equipment to and from jobsites. Once at the jobsite they do not participate in the work of the crew. On both of these crews, other crew members could easily drive the vehicles eliminating the need for the MTD positions.

Adding extra workers to a crew when their presence does not add value creates unnecessary costs which are paid for by taxpayers. By transitioning to using MTDs only for necessary transportation assignments – for example, if a driver is needed to continuously drive equipment to different locations – the City could save money and create a more efficient workforce. The table below summarizes the inefficient MTD positions identified through this review.

**Table #10- Summary of Inefficient MTD positions**

<b>Department and Bureau (if applicable)</b>	<b>Number of MTDs not used Efficiently</b>
<b>Streets and Sanitation</b>	
Rodent Control	40
Forestry	21
Street Operations	3 to 7
Traffic Services	1 to 2
<b>Water Management</b>	
Operations and Distribution	61 to 64
<b>Transportation</b>	
In-House Construction	17 to 41
Electrical Operations	35 to 42
<b>General Services</b>	6
<b>Emergency Management &amp; Communications</b>	4
<b>Library</b>	1
<b>Total</b>	<b>189 to 228</b>
Note; The ranges are a result of the variation in MTD staffing in certain operations due to seasonal fluctuations.	

Currently, the average salary of most MTDs is \$33.85 per hour. Assuming a 2,040 hour work year, this translates to an annual salary of just over \$69,000 per year. Including pension and healthcare benefits, the average compensation for an MTD that works a full year, not including overtime, is approximately \$90,000. Thus, the elimination of the approximately 200 inefficient MTD positions identified would save the City approximately \$18 million this year.

In addition to the elimination of these positions, allowing greater flexibility in the job responsibilities of the remaining MTDs would achieve additional efficiencies. For instance, on

the recycling crews in Street Ops, MTDs typically pick up recycling alone from the 37 community recycling sites. However, if any recycling material is on the ground at these sites, the MTDs must be accompanied by a laborer to pick up the material on the ground. If the MTD responsibilities on these crews were more flexible and they agreed to pick up loose recycling material, then laborers would not have to accompany the MTDs, thus allowing them to perform other tasks.

#### **XIV. RECOMMENDATIONS**

As discussed above, the IGO has found numerous MTD work assignments that are duplicative and inefficient, creating unnecessary costs, an unfortunate allocation of resources, and a consequent waste of taxpayer money for the City. The prime reason for these inefficiencies is the constraints placed on the managers of the City's operations by the Teamsters CBA with the City. The City's managerial rights have been so significantly restricted that the City is unable to rectify many of the inefficiencies described above, which often result in MTDs sitting idle in vehicles while other City employees work. Particularly, managers are constrained by "traditional work" provisions which do not allow flexibility or creativity when dealing with operational inefficiencies.

Further, that these constraints are in place for the entirety of the Teamsters' ten-year CBA illustrates the downside to long-term labor contracts. While long-term contracts may appear advantageous to negotiating parties at the time they are entered into, the likelihood of significant changes in the financial condition of the City and the operational needs and work requirements of the City make these ten-year contracts unduly restrictive not only on the management of City government under the current Administration, but on the next six years of management as well, a period that will extend throughout and well past the elected term of the new incoming Administration and City Council. In this regard, such excessively long collective bargaining agreements implicate many of the same concerns and considerations posed by the long-term leasing of City assets which this office has elsewhere analyzed.<sup>60</sup> While the IGO believes that the City may be able to remove these inefficiencies by working with the Union to make sure that all MTDs are actively working while on the job, we also take this opportunity to make general recommendations and point out some simple provisions that could prevent these restraints on management rights in the future.

##### **A. General Recommendations**

To help prevent future CBAs governing MTDs and other City employees from hampering the ability of the City to deliver services efficiently and respond to changing fiscal situations, the IGO recommends that the Administration and City Council consider the following:

##### **1. Limit CBAs to Four Year Terms**

The Teamsters CBA cannot be reopened without the consent of the union or a catastrophic event until 2017. This means that the new administration and City Council that will take office in May

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<sup>60</sup> See Chicago Inspector General Report, "An Analysis of the Lease of the City's Parking Meters," available at <http://chicagoinspectorgeneral.org/pdf/IGO-CMPS-20090602.pdf>

2011 have no ability in their first terms to negotiate new contract terms with the Teamsters that correspond to current economic and fiscal conditions and operational needs. By signing a ten-year agreement, the current administration and City Council have placed severe constraints not only on the current management of City government, but on the next six years of management as well. To prevent this situation from developing in the future, the IGO recommends that City Council explore passing an ordinance limiting the duration of CBAs to a maximum of four years, tracking the Mayor’s term. Such an ordinance would be similar to the act recently passed by the State Legislature (Illinois Public Act 096-1529, effective February 16, 2011), which requires that labor agreements signed by constitutional officers be limited to within the fiscal years of the four-year term those officers are serving.<sup>61</sup> A similar ordinance passed by the City would allow a new administration to have control over the budget and managerial rights during its term, instead of being handcuffed to previously negotiated contracts.

2. City Council Should Conduct an Analysis of the CBA’s Impact on the Delivery of City Services

The terms of the Teamsters CBA, and all other CBAs entered into by the City, are subject to ratification by the City Council. The Committee on Finance generally submits a report recommending that the City Council pass an ordinance authorizing the CBA. The IGO recommends that during this process, the City Council not only look at the financial impact that any negotiated wages and benefits detailed within a CBA may have, but also at the CBA’s potential effect on managerial rights. If the City Council received reports from department managers discussing the direct impact that certain provisions of the CBA have on their ability to make operational changes, this would provide an additional “check” against unnecessarily restraining CBAs in the future.

**B. Suggested CBA Provisions**

In addition to the general recommendations above, the IGO recommends that the City examine amending the current CBA to include two provisions that should relieve the constraints on management rights in the future. These provisions are not particularly innovative, nor would they be easy to incorporate into an agreement since they require the unions’ agreement. However, these provisions could prevent the situation that the City finds itself in now: workers, here MTDs, sitting idle on the job, for hours at a time, while being paid by a City burdened with a \$1 billion structural budget deficit. These provisions are:

1. Allow for Reopening Based on Financial Condition

The relationship between the City and its workforce is necessarily dependent on the City’s financial condition. A provision that allows for reopening the CBA based on the financial condition of the City could allow operational restructuring in order to deal with budget deficits, changing demands for service, and evolving technology. The current CBA between the

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<sup>61</sup> The act provides that “No collective bargaining agreement entered into, on or after the effective date of this amendatory Act of the 96th General Assembly between an executive branch constitutional officer or any agency or department of an executive branch constitutional officer and a labor organization may extend beyond June 30th of the year in which the terms of office of executive branch constitutional officers begin.” 5 ILCS 315/21.5 (2011).

Teamsters and the City was ratified in December 2007, the year in which the City's revenues peaked. Since then, as the economy has suffered a severe downturn, the City's financial condition has deteriorated dramatically with larger and larger reported deficits in each of the last four years. These past several years have illustrated that changing financial circumstances can drastically affect the City's ability to meet certain CBA provisions. While the severity of the present downturn could not be anticipated, the fact of at least one significant recession over the course of a ten-year contract is predictable to a near certainty. Therefore, the IGO recommends that the City explore provisions that would allow City to renegotiate a collective bargaining agreement based on financial condition. For example, a provision could require mandatory midterm reopening if the City's operating revenue drops a certain negotiated percentage, or allow the City to reopen in event of "fiscal emergency."

It should be noted that many labor unions and the City reached an interim mid-term agreement in 2009, implementing furlough days in order to provide savings to the City and prevent layoffs.<sup>62</sup> This mid-term negotiating was not required, but the City and the unions had a mutual incentive to renegotiate. While the resulting COUPE amendment demonstrated admirable flexibility and willingness to work together, some unions (including the Teamsters) did not agree to the amendment. With a CBA provision that would allow for reopening based on financial condition, all unions would be required to come to the table and renegotiate in the face of a fiscal crisis.

## 2. Terms of Agreement Must Be within "Four Corners"

In order to facilitate informed legislative analysis and deliberation, as well as increase transparency, managerial ability and operational efficiency, the City should examine a provision that would ensure that all the terms of an agreement between the union and the City be placed within the "Four Corners" of the agreement. This would require that all provisions be detailed within one comprehensive document and that such document not contain undefined references to "unit work" or "traditional work."

### (a) *No Side Agreements or Memoranda of Understanding*

The current Teamsters CBA includes a provision that purports to allow for the City to subcontract MTD functions to private contractors and outlines a procedure for what steps the City must take if it chooses to do so. However, this provision is directly contradicted and overridden by a side letter from 1996 that continues for the term of the current CBA. The existence of side letters or memoranda of understanding outside of a single document that defines all the terms of the agreement creates ambiguity about the labor-management relationship and, as seen above, can lead to contradicting and misleading agreements. In order to create transparency to the taxpaying public and increase managerial ability, the City should require all side letters and memoranda of understanding to be expressly incorporated into a CBA.

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<sup>62</sup>For the history and cost-savings of the City's furlough program, see <http://chicagoinspectorgeneral.org/wp-content/uploads/2011/02/Impact-of-the-City-of-Chicagos-2009-2011-Furloughs-on-Employee-Pensions-Final.pdf>.

(b) *Agreement Should Not Contain Reference to Ambiguous “Traditional Work”*

The Teamsters CBA is almost completely silent on the job responsibilities of MTDs. The agreement defines the responsibilities of MTDs only as traditional work, which has been described in arbitration awards as work that has been “customarily and consistently” assigned to MTDs “over a significant period of time.”<sup>63</sup> This traditional work can only be performed by MTDs, effectively freezing historic job duties and not allowing for any managerial flexibility. While there may have been a compelling operational reason to have an MTD drive a laborer to a certain jobsite in the past, this may not be the case now, and that driving duty should be performed in the most efficient manner – perhaps by the laborer him/herself. Further, because the CBA does not define what “traditional work” is, managers are often uncertain about the job responsibilities of MTDs. This has led to situations where managers only realize that they have possibly violated this provision of the CBA when the Teamsters union files a grievance. Conversely, this reliance on ambiguous historical practices in the CBA can also cause managers to be too cautious in assigning job duties to MTDs for fear of having a grievance filed against them.

The requirement that all traditional work must be performed by the Teamsters all but guarantees that City managers are not able to sufficiently adapt to structural changes or deal with operational inefficiencies. Over time, such contractual restraints undermine innovation and creativity in the delivery of public services. To reduce these constraints, the City should either refuse to enter into contracts that bind management to historical concepts of work duties without also granting the City the ability to reorganize services based on technological change or operational need, or, at a minimum, the CBA should clearly define the job responsibilities of MTDs to ensure that employees know what duties are expected of them and managers know what tasks MTDs can perform. These MTD job responsibilities should be continuously updated with each new contract, thus allowing City managers to renegotiate such duties in order to deal with operational inefficiencies.

## **XV. CONCLUSION**

This report is meant to be used by both the union and the City as a resource to assist in modernizing and adding even more value to the current position of the MTD within the City. More pointedly, the IGO report recommends action by the City (met halfway by the Teamsters Union) to correct operationally and fiscally injurious managerial constraints in its ten-year CBA that significantly hinder meaningful restructuring of operations needed to combat fiscal hardships. The IGO believes it is in the best interest of the union, its members, and the City management to hold down unnecessary costs when providing public services.

When City departments use MTDs for the sole purpose of transporting laboring personnel and equipment to jobsites or meetings, and then allow the MTD to merely wait for the personnel and equipment to be shuttled back or to a different jobsite, the City is wasting valuable manpower and resources. This report, through a detailed analysis of MTD utilization across numerous City

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<sup>63</sup> Berman Arbitration award, p. 21.

departments, highlights approximately 200 MTD positions that are used in just this way. When faced with the daunting fiscal challenges of the current budget crisis, the City must reevaluate and prioritize such expenditures to best ensure that it is spending valuable tax resources only on public services delivered in a cost-effective and efficient manner.