

Letter of Agreement
(Rehire of Retirees)

The parties to this Letter of Agreement are the Portland Bureau of Transportation – Bureau of Maintenance (Bureau), the City of Portland (City) and the Laborers' 483 Union (Union).

Recitals

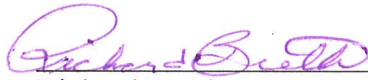
1. The City and Union are parties to a Collective Bargaining Agreement, the term of which is July 1, 2006 to June 30, 2010.
2. Article 1 – Recognition and Schedule A of the parties' Collective Bargaining Agreement identifies those job classifications in which employees are unit members within the Agreement between the City and the Union.
3. The parties Collective Bargaining Agreement does not include unit membership status and labor agreement entitlements for rehired PERS retirees.
4. There are instances in which the rehiring of retirees is advantageous to all parties.

Agreement

1. Construction Equipment Operators (CEOs) who have retired from the Bureau and from City employment and who have applied for or are receiving PERS or OPSRP benefits (retired CEOs), and who are subsequently rehired by the City into the Classification of CEO as identified in Schedule A of the parties' Collective Bargaining Agreement, shall be members of the bargaining unit.
2. The only Articles, terms, and conditions of the parties' Collective Bargaining Agreement that shall apply to the rehired retirees shall be Article 1 – Recognition, Article 2 – Union Security, Article 3 – Dues Checkoff, and Schedule A.
3. Retired CEOs rehired by the Bureau shall only perform work associated with the training of current Bureau employees in the use and operation of CEO equipment or other CEO-related responsibilities. They shall not replace or displace any current Bureau CEO.
4. All other terms and conditions of employment for retired CEOs shall be solely determined by the provisions of HR Administrative Rule 3.06.
5. The City may hire retired CEOs in the Bureau as temporary, at-will employees for up to one continuous year in the position of CEO.
6. The Bureau and Union agree that either party may terminate this agreement at any time for any reason upon thirty (30) days written notice to the other party.
7. This Agreement is based on the particular facts of this situation and does not establish a precedent for addressing the same or similar situations in the future.

8. This Agreement shall be effective upon adoption by the City Council.


For the Union:

 02/02/10
Richard Beetle Date
Business Representative, Local 483

For the City:

 2/3/10
Yvonne L. Deckard Date
Director, Bureau of Human Resources

For the Bureau

 2/2/10
Suzanne Kahn Date
Group Manager

Approved as to Form:

 2/2/10
Lory Kraut Date
Deputy City Attorney