

SETTLEMENT AGREEMENT
(Doug Tang - Overtime Opportunities Grievance)

The parties to this Settlement Agreement are the City of Portland (City), on behalf of the Portland Police Bureau (PPB), and the Portland Police Association (PPA).

Recitals

- A. The City and the PPA are parties to a Labor Agreement, the term of which is July 1, 2006 to June 30, 2010.
- B. Article 23, Section 23.11 of the parties' CBA provides "... overtime shall be offered, in the order of seniority, to officers in the reporting unit."
- C. Doug Tang was assigned as an NRT Sergeant, and was denied opportunity to work overtime as a Precinct Sergeant on the grounds that it was not within his reporting unit.
- D. PPA filed a grievance on 3/17/2004 (PPA#2004-04; L/ER# 2004-046); Grievant has alleged denial of 320 hours of overtime opportunity.
- E. The matter has been in abeyance so settlement negotiations could be completed. The parties conclude that it would be mutually beneficial to resolve this matter by means of a grievance settlement agreement.

Agreement


1. The parties agree that Doug Tang shall be paid for 160 hours at his overtime rate for overtime opportunities that were denied and alleged to be in violation of the CBA.
2. In consideration of the compromise offer made in this document by the City, the PPA withdraws and dismisses with prejudice the above-referenced grievance, and voluntarily releases and forever discharges the City from all claims arising from the facts underlying this dispute. However, nothing in this agreement prevents the PPA from filing a grievance in the future should another PPA member be denied the opportunity to work overtime under circumstances similar or identical to the circumstances described in the grievance. Nothing in this agreement prevents the City from denying such a grievance.
3. The parties stipulate that in entering into this *Settlement Agreement* neither party admits liability or culpability, and that the terms of this *Settlement Agreement* shall not establish any precedent whatsoever.
4. As the amount of settlement exceeds \$5,000, this Agreement requires approval of the Portland City Council. The Agreement may require approval of the PPA Executive Board.

For the City of Portland:

For Portland Police Association:


Yvonne L. Deckard, Director BHR

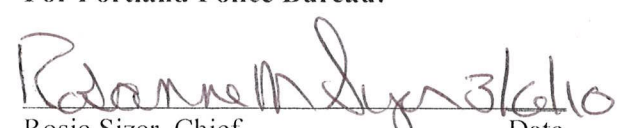
Date


Scott Westerman, President

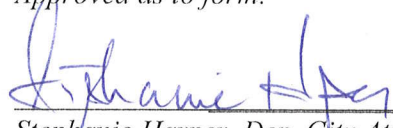
Date

For Portland Police Bureau:

Approved as to form:


Rosie Sizer, Chief

Date


Stephanie Harper, Dep. City Atty

Date