

ORDINANCE No. 185601

*Ratify a Letter of Agreement between the City on behalf of the Bureau of Transportation Parking Enforcement Division and the American Federation of State, County and Municipal Employees, Local 189 with regard to Scheduling Parking Enforcement Officers on the Day after Thanksgiving (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The City and the District Council of Trade Unions (DCTU), of which the American Federation of State, County and Municipal Employees (AFSCME), Local 189 is a member, are parties to a collective bargaining agreement effective July 1, 2010 to June 30, 2013.
2. AFSCME, Local 189 is the sole and exclusive collective bargaining agent for the classification of Parking Code Enforcement Officer (Officer) at the Portland Bureau of Transportation (PBOT), Parking Enforcement Division (Division).
3. Article 15.1 of the DCTU labor agreement recognizes Thanksgiving as a paid holiday. The Division also permits as many Officers to observe the day after Thanksgiving as a holiday as business operations permit.
4. On or about July 29, 2012, the City and AFSCME, Local 189 entered into a Letter of Agreement (LOA) that allows the Division to change an Officer's scheduled working hours on the day after Thanksgiving to meet staffing needs. The LOA provides that any such change may be made without regard to the schedule change notification and/or duration requirements in Article 7.1 and the emergency shift change premium in Article 7.4 of the DCTU labor agreement.
5. In accordance with the LOA, when an Officer is regularly scheduled to work on the day after Thanksgiving between the hours of 0930 and 1200 hours and voluntarily changes his/her work starting time, the Officer shall not receive the shift premium.
6. In accordance with the LOA, if regularly scheduled to work on the day after Thanksgiving, an Officer may change his/her work starting time by seniority, if qualified for the assignment.
7. In accordance with the LOA, if required to change his/her shift assignment on the day after Thanksgiving, an Officer will receive second shift premium pay, regardless of shift starting time. Such required shift assignments will be assigned according to the least senior qualified Officer.
8. Funding for the pay consistent with the LOA is de minimis and is included in the current service level budget for PBOT.

NOW, THEREFORE, the Council directs:

- a. The LOA attached hereto as Exhibit A is hereby ratified by this Council.
- b. PBOT is authorized to fund the pay for the Officers consistent with the LOA within current service level budgets.
- c. This Ordinance is binding City policy.

Section 2. The Council declares that an emergency exists because delay would create problems in determining pay for Parking Code Enforcement Officers on the day after Thanksgiving; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council: SEP 05 2012

Mayor Sam Adams
Prepared by: Anna Kanwit:PW:sds
Date Prepared: August 23, 2012

LaVonne Griffin-Valade
Auditor of the City of Portland

By: 
Deputy

100281

Agenda No. **185601**
ORDINANCE NO.
 Title

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INTRODUCED BY Commissioner/Auditor: Mayor Sam Adams	CLERK USE: DATE FILED <u>SEP 04 2012</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams <i>[Signature]</i>	LaVonne Griffin-Valade Auditor of the City of Portland
Position 1/Utilities - Fritz <i>[Signature]</i>	By: <i>[Signature]</i> Deputy
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Leonard	
BUREAU APPROVAL Bureau: Bureau of Human Resources Bureau Head: Jack D. Graham <i>[Signature]</i> Anna Karwit	ACTION TAKEN:
Prepared by: Patrick Ward:sds Date Prepared: August 23, 2012	
Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Council Meeting Date: September 5, 2012	
City Attorney Approval:	

AGENDA
TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion)
CONSENT <input checked="" type="checkbox"/>
REGULAR <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz <i>[Signature]</i>	1. Fritz	✓
2. Fish <i>[Signature]</i>	2. Fish	✓
3. Saltzman <i>[Signature]</i>	3. Saltzman	✓
4. Leonard <i>[Signature]</i>	4. Leonard	✓
Adams <i>[Signature]</i>	Adams	✓