

**ORDINANCE No. 188134**

\*Ratify a Letter of Agreement between the City and Laborers' Local 483 regarding shift premium pay for certain Portland Bureau of Transportation employees (Ordinance)

The City ordains:

Section 1. The Council finds:

1. Laborers' Local 483 (Union) is a signatory union to the July 1, 2013 – June 30, 2017 Collective Bargaining Agreement between the City and the District Council of Trade Unions (DCTU).
2. Article 8 of the labor agreement establishes starting and ending times for the Day, Second/Swing and Third/Night shifts and the shift differential premiums for Second and Third shift.
3. Article 8.6 states the shift premiums shall be paid to any employee working a full overtime shift.
4. The Bureau's Maintenance Operations Group has a night shift Street Cleaning group whose work schedule is 9:30 p.m. to 6:00 a.m. The workweek begins Sunday night and ends Friday morning.
5. The Maintenance Operations Group's Street Cleaning section is responsible for leaf removal from City streets each fall. Known as "Leaf Season," its normal timeframe is early November to mid-December but is dependent on weather and the volume of work.
6. Employees assigned to Leaf Season work shift extension overtime and overtime on regularly scheduled days off.
7. During Leaf Season the Night Shift group works two (2) additional hours in conjunction with their regularly scheduled shift, beginning at 7:30 p.m. each of their regularly scheduled workdays.
8. Because of Article 8.6, the Night Shift employees do not receive shift premium for the two (2) hours of work between 7:30 p.m. and 9:30 p.m. even though those hours fall within the Third Shift as defined by Article 8.2.
9. The parties wish to pay the Night Shift employees shift premium for all hours worked in conjunction with their regularly scheduled shifts during Leaf Season.
10. Pursuant to the Letter of Agreement, Maintenance Operations employees assigned to the Night Shift Street Cleaning section shall receive the Third Shift differential premium for overtime hours worked directly before and/or directly after their regularly scheduled shifts during Leaf Season.

NOW, THEREFORE, the Council directs:

- a. The Letter of Agreement between the City and the Union attached as Exhibit A is hereby ratified by the Council.

- b. The Mayor and the City Auditor are hereby authorized to pay for the premium pay for Maintenance CSET and CHMS members from the budget of the Bureau of Transportation.

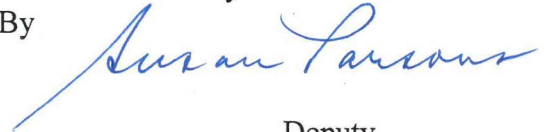
Section 2. The Council declares that an emergency exists because delay would in paying the premium would prevent the City from timely carrying out its commitment under the Letter of Agreement; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council: DEC 14 2016

Commissioner Steve Novick  
Prepared by: Anna Kanwit: PTW  
Date Prepared: November 23, 2016

**Mary Hull Caballero**  
Auditor of the City of Portland

By



Deputy

1388

Agenda No.  
**ORDINANCE NO. 188134**  
 Title

\*Ratify a Letter of Agreement between the City and Laborers' Local 483 regarding shift premium pay for certain employees. (Ordinance)

*Portland Bureau of Transportation*

<p><b>INTRODUCED BY</b>          Commissioner/Auditor  <i>Hales</i></p> <p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Hales <i>[Signature]</i></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p> <p><b>BUREAU APPROVAL</b></p> <p>Bureau: OMF – Human Resources          Bureau Head: Anna Kanwit  <i>Announced by [Signature]</i></p> <p>Prepared by: Patrick Ward          Date Prepared: November 23, 2016</p> <p>Impact Statement          Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document          If "Yes" requires City Policy paragraph stated in document.          Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p><b>City Auditor Office Approval:</b>          required for Code Ordinances</p> <p><b>City Attorney Approval:</b>          required for contract, code, easement, franchise, comp plan, charter</p> <p>Council Meeting Date December 14, 2016</p>	<p>CLERK USE: DATE FILED <u>DEC 06 2016</u></p> <p>Mary Hull Caballero          Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> <u>12-12-16</u>          Deputy</p> <p><b>ACTION TAKEN:</b></p>
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<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____          (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input checked="" type="checkbox"/></p>
<p><b>REGULAR</b> <input type="checkbox"/></p> <p>Total amount of time needed: _____          (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	✓	
2. Fish	✓	
3. Saltzman	✓	
4. Novick	✓	
Hales	✓	