

IMPACT STATEMENT

Legislation title: *Authorize grievance settlement between Portland Police Association and the City of Portland through its Portland Police Bureau regarding terminated employee Gregg Lewis (Ordinance).

Contact name: Mark Amberg

Contact phone: 503-823-4047

Presenter name: Mayor Ted Wheeler

Purpose of proposed legislation and background information:

To settle a grievance brought by Portland Police Association on behalf of terminated Portland Police Bureau employee Gregg Lewis in exchange for a Settlement Agreement and modified discipline.

Financial and budgetary impacts:

This will have no impact on City revenue. As part of the settlement of a pending grievance, the City will pay Gregg Lewis for the regular hours he would have worked between the dates of February 2, 2018 through December 3, 2018, at his base hourly rate of pay in effect at the time of his termination, minus 120 hours for imposed discipline of a 120-hour suspension without pay, less all applicable withholdings and deductions. Total estimated cost is approximately \$100,020.53. The source of funding will be the Police Bureau personnel budget. All cost of the settlement is in the current fiscal year. This ordinance does not amend the budget.

Community impacts and community involvement:

No future public involvement is anticipated or necessary. Approval by City Council of this Ordinance will fully settle the grievance.

100% Renewable Goal:

- N/A

Budgetary Impact Worksheet**Does this action change appropriations?**

☐ **YES:** Please complete the information below.

☒ **NO:** Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount

ORDINANCE No.

Authorize grievance settlement between Portland Police Association and the City of Portland through its Portland Police Bureau regarding terminated employee Gregg Lewis (Ordinance).

The City of Portland ordains:

Section 1. The Council finds:

1. The Portland Police Bureau (PPB) terminated employee Gregg Lewis on February 2, 2018. The Portland Police Association ("PPA") grieved the termination. The City denied the grievance and the PPA advanced the grievance to arbitration.
2. The parties now desire to compromise and settle the grievance. A copy of the proposed Settlement Agreement is attached as Exhibit A.
3. Under the terms of the Settlement Agreement:
 - a. Lewis's termination will be rescinded, and in its place, a 120-hour unpaid suspension will be imposed.
 - b. Lewis will be paid back pay from February 2, 2018, through December 3, 2018, less the amount of a 120-hour suspension without pay, subject to all applicable State and Federal tax withholdings. The amount of back pay, with the 120-hour suspension without pay deducted, and before deduction of applicable withholdings, is \$100,020.53.
 - c. Lewis will permanently retire from City employment effective December 3, 2018. As part of the grievance settlement, Lewis will not apply for and will not be eligible for any Portland Police Bureau or City employment in the future.
 - d. PPA agrees to withdraw the grievance with prejudice.
4. PPB and the City Attorney's Office recommend acceptance of the proposed settlement.
5. Per PCC 3.15.050, the Director of the Bureau of Human Resources has reviewed and approved the proposed settlement.

NOW, THEREFORE, the Council directs:

- a. The Mayor, the Police Chief and the Director of the Bureau of Human Resources are authorized to enter into and execute the Settlement Agreement in the form attached to this Ordinance as Exhibit A, subject to approval as to form by the Office of the City Attorney.
- b. The Police Bureau shall execute a payment authorization in the amount set forth in paragraph 3.b. above.

Passed by the Council:

Commissioner: Mayor Ted Wheeler

Prepared by: Mark Amberg

Date Prepared: December 11, 2018

Mary Hull Caballero

Auditor of the City of Portland

By

Deputy