

## ORDINANCE No. 189601

\* Ratify a Letter of Agreement between the American Federation of State City and Municipal Employees Local 189-3 to merge with AFSCME Local 189 (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The City and the American Federation of State County and Municipal Employees Local 189-3 (the Union) are parties to a collective bargaining agreement effective July 1, 2015 to June 30, 2019 (the 2015-2019 CBA)
2. The Union is the sole and exclusive bargaining agent for the purpose of establishing wages, hours and conditions of employment for the represented employees working in the Portland Housing Bureau (PHB) for the City.
3. On or about December 28<sup>th</sup>, 2017 the Union was granted a unit clarification petition by the Employment Relations Board allowing them to be merged with AFSCME local 189.
4. AFSCME local 189 is a party to the District Council of Trades Unions (DCTU) collective bargaining agreement effective July 1, 2017 to June 30, 2020.
5. OAR 115-025-0005(5)(d) states: "(d) When the Board approves a clarification through merger, and the employees in the smaller unit are covered by a collective bargaining agreement, the employment conditions for the employees in the smaller unit will remain governed by their collective bargaining agreement until that agreement expires. Before the expiration of that agreement, the parties are obligated to begin negotiations for inclusion of the smaller unit employees under the larger-unit agreement."
6. On May 15<sup>th</sup>, 2019, representatives of the City and the Union signed a Tentative Agreement, Exhibit A, attached hereto and incorporated by this reference, that outlines the terms and conditions of employment for bargaining unit members from the Union merging with AFSCME local 189.
7. The Agreement outlines all of the provisions of the DCTU collective bargaining agreement that will and will not apply to employees merging into the collective bargaining agreement.
8. As of the date this ordinance is submitted, the Union has ratified the agreement

NOW, THEREFORE, the Council directs:

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

Section 2. The Council declares that an emergency exists because delay would unnecessarily delay the orderly implementation of the provisions of this letter of agreement; therefore, this ordinance shall be in full force and effect after its passage by the Council

Passed by the Council: JUL 10 2019

Mayor Ted Wheeler  
Prepared by: Jamaal Anthony  
Date Prepared: June 22, 2019

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

By



Deputy

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<p><b>INTRODUCED BY</b> Commissioner/Auditor: <b>Mayor Wheeler</b></p>	<p>CLERK USE: DATE FILED <u>JUL 01 2019</u></p>
<p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance &amp; Administration - Wheeler </p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs -</p> <p>Position 4/Safety - Eudaly</p>	<p style="text-align: center;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By:  Deputy</p>
<p><b>BUREAU APPROVAL</b></p> <p>Bureau: Human Resources Bureau Head: Serilda Summers-McGee </p> <p>Prepared by: Jamaal I. Anthony Date Prepared: June 22, 2019</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 type="checkbox"/> No <input checked="" type="checkbox"/></p> <p><b>City Auditor Office Approval:</b> required for Code Ordinances</p> <p> <b>City Attorney Approval: Matt Farley</b> required for contract, code, easement, franchise, comp plan, charter </p> <p>Council Meeting Date July 10, 2019</p>	<p><b>ACTION TAKEN:</b></p>

<p style="text-align: center;"><b>AGENDA</b></p> <p><b>TIME CERTAIN</b> <input type="checkbox"/> Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p> <p><b>CONSENT</b> <input type="checkbox"/></p> <p><b>REGULAR</b> <input checked="" type="checkbox"/> Total amount of time needed: <u>20</u> (for presentation, testimony and discussion)</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 30%;">FOUR-FIFTHS AGENDA</th> <th colspan="2">COMMISSIONERS VOTED AS FOLLOWS:</th> </tr> <tr> <th></th> <th>YEAS</th> <th>NAYS</th> </tr> <tr> <td>1. Fritz</td> <td>1. Fritz </td> <td></td> </tr> <tr> <td>2. Fish</td> <td>2. Fish </td> <td></td> </tr> <tr> <td>3.</td> <td>3. Hardesty </td> <td></td> </tr> <tr> <td>4. Eudaly</td> <td>4. Eudaly </td> <td></td> </tr> <tr> <td>Wheeler</td> <td>Wheeler </td> <td></td> </tr> </table>	FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:			YEAS	NAYS	1. Fritz	1. Fritz		2. Fish	2. Fish		3.	3. Hardesty		4. Eudaly	4. Eudaly		Wheeler	Wheeler	
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