

Agenda No. 464

ORDINANCE NO. 190454 As Amended

*Ratify a Letter of Agreement within the Seasonal Maintenance Workers Collective Bargaining Agreement to reflect the Janus Supreme Court decision requiring employees to consent to having Union dues taken out of their paycheck (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The City and Laborers' Local 483 (the Union) are parties to a collective bargaining agreement effective July 1, 2018 to June 30, 2022. (the 2018-2022 CBA)
2. When the 2018-2022 CBA was ratified, it contained language speaking to the collection of union dues, or an equivalent amount known as "fair share" payments to be automatically deducted from employees pay and rendered to the Union.
3. In 2018 the Supreme Court decision of *Janus vs AFSCME* it was determined that Public Sector union represented employees would no longer have dues, automatically deducted from their pay, and employees would have to give their "affirmative consent" to have dues taken from their pay.
4. In negotiations in 2018, the City and the Union agreed to a Cost of Living increase, but did not know which Consumer Price Index(CPI) to use. The parties did agree to meet during the life of the agreement and added language to reflect the mutually agreed upon CPI, which is also included in this Letter of Agreement.

Introduced by

Mayor Ted Wheeler

Bureau

Human Resources
Management and
Finance

Prepared by

Jamaal Anthony

Date Prepared

May 26, 2021

Requested Council Date

June 16, 2021

Requested Agenda Type

Regular 15 minutes

Date Filed with Clerk

June 8, 2021

5. The parties of this agreement have agreed to new language that no longer automatically deducts union dues from Seasonal Maintenance Workers wages, now requiring employees give "affirmative consent," as provided for by the Supreme Court, as well as language that captures the appropriate CPI for the annual Cost of Living increase.

NOW THEREFORE, the Council directs:

a. The LOA 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 will inhibit the proper implementation of the provisions of this agreement, therefore this ordinance shall be in full force and effect after its passage by Council.

Passed by Council: June 16, 2021 As Amended

MARY HULL CABALLERO

Auditor of the City of Portland

Action Taken:

By *Christina Thomas*

Deputy

Commissioners voted as follows (Yea or Nay)

Rubio -

Ryan - Yea

Hardesty - Yea

Mapps - Yea

Wheeler - Yea