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190721

Emergency Ordinance

***Ratify a Successor Collective Bargaining Agreement between the City on behalf of Portland Police Bureau and the Portland Police Association relating to the terms and conditions of employment of represented employees in the Portland Police Association bargaining unit for 2021-2025**

Passed

Amended by Council

The City of Portland ordains:

Section 1. The Council finds:

1. The City and the Portland Police Association (PPA) are parties to a Collective Bargaining Agreement (CBA) for the period of November 11, 2016, to June 30, 2020, which was then extended until June 30, 2021, pursuant to a Letter of Agreement between the City and the PPA.
2. The PPA is the sole and exclusive representative for all sworn personnel and Public Safety Support Specialists at the Portland Police Bureau in classifications set forth in Schedule A of the CBA.
3. In January of 2020, pursuant to the requirements of the Public Employees Collective Bargaining Act (PECBA), the parties started negotiations for a successor CBA to the 2016-2020 contract but were impacted by the COVID-19 pandemic, which resulted in the parties entering into a Letter of Agreement that extended the CBA terms through June 30, 2021.
4. In January of 2021 the parties restarted negotiations for successor CBA.
5. On February 4, 2022, lead negotiators for the City and PPA entered into a Tentative Agreement, Exhibit A (the Agreement) attached hereto and incorporated herein by this reference, that outlines the

Introduced by

[Mayor Ted Wheeler](#)

Bureau

[Human Resources;](#)
[Management and Finance](#)

Prepared by

Cathy Bless

Date Prepared

February 8, 2022

Requested Agenda Type

Time Certain

Date and Time Information

Requested Council Date

February 24, 2022

Requested Start Time

2:00 pm

Time Requested

1 hour

Portland Policy Document

terms and conditions of employment for represented employees in the PPA bargaining unit for the period beginning on ratification to June 30, 2025 (2021-2025 CBA).

6. The Agreement meets the City's interests by securing a labor agreement with the PPA through June 30, 2025 and agreeing to a new Corrective Action Guide (or Discipline Guide) with greater accountability and clarity, expansion and integration of Portland Street Response into our public safety response model, recruitment and retention incentives, and an increase of the entry rate of pay for Police Officers to address market concerns.
7. This agreement also assists the City in recruiting and retaining highly qualified Police Officers through additional premium pay incentives focusing on training and education for qualifying PPA members, as follows:
 - A. Language Pay Differential effective on ratification. On December 16, 2020, Portland City Council unanimously passed Resolution No. 37525 to authorize a Language Pay Differential policy to compensate qualifying multilingual City employees who use their language skill to assist the community within their scope of work.
 - B. Educational Premium Pay effective July 01, 2024, that increases from the current rate of two percent (2%) to three percent (3%) for a bachelor's degree, and adding a new educational premium incentive for master's or doctorate degree of five percent (5%).
 - C. Premium pay incentive at the rate of two percent (2%) for Crisis Intervention Training (CIT) and maintenance thereof effective January 1, 2022.
 - D. DPSST Certification Premium Pay at two percent (2%) for intermediate certification and four percent (4%) for advanced certification, effective July 01, 2024.
 - E. The fiscal impacts of these incentives are estimated to be approximately \$14,886,219
8. Cost of Living Adjustment (COLA) from FY2021-2022 through FY2024-2025 are addressed based on actual or projected Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) increases as provided by the City Budget office but are not less than one percent (1%) or more than five percent (5%). With actual CPI-W information, COLA for FY2021-2022 at an increase of 1.6% and FY2022 -2023 at an increase of 5%.

9. One-time retention incentive for existing sworn PPA members of \$5,000 payable on the first pay period of the month after ratification, for an approximate cost of \$4,770,000; one-time retention incentive for existing Public Support Safety Specialists of \$3,000 payable on the first pay period of the month after ratification for an approximate cost of \$36,000; and one-time retention incentive for sworn PPA members employed on January 1, 2024, of \$2,000, for an approximate cost of \$2,176,000.
10. For each of the next three years, a one-time recruitment incentive for newly hired Officers in the amount of \$5,000, with costing dependent on number of hires; one-time recruitment incentive for retirees hired under newly adopted Option C of the retire-rehire program of \$5,000, with costing dependent on number of hires and limited to officers who retired between August 2020 and ratification.
11. The City and PPA will continue to negotiate the Body Worn Camera (BWC) policy under the Public Employee Collective Bargaining Act (PECBA) process. PPA agrees to not seek any additional compensation in bargaining for the BWC policy.
12. The Tentative Agreement resolves a pending pre-grievance for one member for a dispute regarding promotional pay.
13. The terms and conditions of the Agreement shall be reduced to a successor collective bargaining agreement and shall conform substantially to Exhibit A (the 2021-2025 CBA).
14. The Mayor, the Human Resources Director, the Chief of Police, and the City Auditor shall be authorized to execute the 2021-2025 CBA with approval as to form by the assigned attorney from the City Attorney's Office.

NOW, THEREFORE, the Council directs:

- A. The Agreement between the City and the PPA attached hereto as Exhibit A is ratified by this Council.
- B. The 2021-2025 successor CBA shall be in a form substantially similar to Exhibit A.
- C. The Mayor, the Human Resources Director, the Chief of Police, and the City Auditor are authorized to execute the 2021-2025 successor CBA between the City and the PPA relating to the terms and conditions of employment for represented employees in the PPA bargaining unit for the period of ratification to June 30, 2025, with approval as to form by the assigned City Attorney.
- D. Council directs the City Budget Office to make one-time funding available to the Portland Police Bureau in accordance with the Fiscal Year 2021-2022 costs of this agreement as part of the Fiscal Year

2021-2022 Spring Budget Monitoring Process (BMP) and include a package for the increased Fiscal Year 2022-2023 costs as part of the Fiscal Year 2022-2023 budget development.

E. Council directs the City Budget Office to increase the Current Appropriation Level targets of the Portland Police Bureau in Fiscal Year 2023-2024 and Fiscal Year 2024-2025 by agreed to costs in this collective agreement.


F. Council directs the Bureau of Human Resources Director and the assigned City Attorney to continue to bargain the terms of a Body Worn Camera Policy that meets the needs of the City in the best way possible under the requirements of the law related to collective bargaining.

G. This ordinance is binding City policy.

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

Documents and Exhibits

 [Exhibit A](#) (9.84 Mb)

 [Proposed Amended Ordinance - strikethrough underline version](#)
(96.37 Kb)

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed as amended by Council
February 24, 2022

Auditor of the City of Portland
Mary Hull Caballero

Impact Statement

 [Impact Statement](#) (175.7 Kb)

Agenda Items

115 Time Certain in [February 16-17, 2022 Council Agenda](#)

Continued As Amended

Motion to accept amended Ordinance: Moved by Wheeler and seconded by Hardesty. (Y-5)

Continued to February 24, 2022 at 2:00 p.m. time certain as amended

141 Time Certain in [February 23-24, 2022 Council Agenda](#)

Passed As Amended

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea