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190990

Emergency Ordinance

## **\*Authorize Settlement Agreement between the City and Laborers International Union of North America Local 483 regarding a grievance filed on behalf of member Travis Perich**

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. The City and LiUna Local 483 were parties to a Collective Bargaining Agreement (CBA) for the period of July 1, 2017 to June 30, 2021 and are currently in successor bargaining.
2. On February 18, 2021, LiUna Local 483 filed a grievance on behalf of its member, Travis Perich, contesting his termination of employment. LiUna Local 483 advanced the grievance to arbitration, and the parties selected an arbitrator and scheduled a three-day arbitration hearing.
3. To avoid the costs and risks associated with an a binding arbitration decision, the City and Local LiUna reached an agreement to compromise and resolve the grievance and any and all claims raised or raisable against the City, for the total sum of \$15,000.00, subject to LiUna Local 483 providing the City with an executed release in a form approved by the City Attorney. Such agreement shall additionally withdraw the grievance with prejudice and terminate any employment rights including eligibility for future employment for Mr. Perich at the City of Portland.
4. This agreement is a compromise of disputed claims and shall not operate or be interpreted as an admission of liability or set any precedent.

NOW, THEREFORE, the Council directs:

- A. The Director of the Bureau of Human Resources is authorized to enter into a Settlement Agreement, Exhibit A, between the City and LiUna 483 in a form approved by the City Attorney.
- B. Bureau of Parks and Recreation is funding the settlement and the Mayor and Auditor are authorized to draw and deliver a check in the amount of \$15,000.00 to LiUna 483, payable to Mr. Perich.

### **Introduced by**

[Mayor Ted Wheeler;](#)

[Commissioner Carmen Rubio](#)

### **Bureau**

[City Attorney;](#) [Human](#)

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

[Finance;](#) [Parks & Recreation](#)

### **Contact**

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### **Requested Agenda Type**

Consent


### **Date and Time Information**

**Requested Council Date**

September 14, 2022

Section 2. The Council declares that an emergency exists in order to avoid undue and costly delay in resolving this labor grievance; therefore, this Ordinance shall be in full force and effect from and after its passage by Council.

## **Documents and Exhibits**

 [Exhibit A](#) (412.28 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 by Council  
September 14, 2022

Auditor of the City of Portland  
Mary Hull Caballero

## **Impact Statement**

### **Purpose of Proposed Legislation and Background Information**

This Ordinance resolves a termination grievance from LiUna Local 483 and Travis Perich.

### **Financial and Budgetary Impacts**

The total cost to the Parks and Recreation Bureau is \$15,000.00 in the fiscal year 2022-2023 and does not amend the budget.

### **Community Impacts and Community Involvement**

No Public impact or public involvement is necessary or appropriate for this Union grievance settlement and no future involvement of the Public is anticipated or necessary.

### **100% Renewable Goal**

Not applicable.

### **Budget Office Financial Impact Analysis**

This ordinance authorizes a settlement of \$15,000, which will be paid out of the Portland Parks & Recreation budget. The bureau will absorb this cost within existing FY 2022-23 Adopted Budget appropriations.

## Agenda Items

### 760 Consent Agenda in September 14, 2022 Council Agenda

Passed

Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea