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191016

Emergency Ordinance

***Authorize a Letter of Agreement between the City and the American Federation of State, County and Municipal Employees, Local 189 to amend the Collective Bargaining Agreement to assign stand-by duty for employees at the Bureau of Emergency Communications in the Business Systems Analyst I, II, or III classifications**

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. The City and City and the American Federation of State, County and Municipal Employees - Local 189 (AFSCME) are parties to the District Council of Trade Unions are parties to a collective bargaining agreement (CBA) effective January 1, 2021- December 31, 2024 (2021-2024 CBA) ordinance 190732.
2. The city has existing needs at the Bureau of Emergency Communications (BOEC) that necessitate employees being assigned stand-by duty to ensure appropriate staffing levels.
3. Exhibit A outlines the terms and conditions of adding stand-by duty to the Business Systems Analyst I, II, and III classification in BOEC. Employees covered under this agreement assigned stand-by duty and is requested to carry a paging or other telecommunication device when assigned to stand-by, the employee shall receive pay for each one (1) hour of stand by time as indicated on the Rate of Compensation scale.
4. If an employee is assigned to Stand-By Duty while on a city paid holiday, the employee will receive pay at the straight time rate (1.0) for each one hour of stand-by duty in accordance with the Rate of Compensation scale.
5. After-hours callout work performed while an employee is assigned to Stand-By Duty will be paid in accordance with Article 10.2, 10.2.1, and 10.2.4. It is expressly understood that, as part of this Agreement, Article

Introduced by

[Mayor Ted Wheeler](#)

Bureau

[Human Resources;](#)

[Management and Finance](#)

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Requested Agenda Type

Consent

Date and Time Information

Requested Council Date

October 5, 2022

10.2 and 10.2.1 shall apply only when a BSA I, II, or III is required to physically report for a callout and that for all work performed remotely while on a callout, Article 10.2.4 shall apply.

6. The City and AFSCME have an interest in entering into a Letter of Agreement to address these concerns. This agreement meets the City's interests in recruiting and retaining highly qualified employees in these classifications.

7. The bureau and AFSCME representative(s) involved agree that either party may terminate the agreement at any time for any reason upon thirty (30) days written notice to the other party.

This agreement is in full effect for the life of the existing contract and will remain in full effect unless opened by either party at the end of the current contract.

NOW, THEREFORE, the Council directs:

A. The Director of the Bureau of Human Resources is authorized to execute a Letter of Agreement, Exhibit A, between the City and AFSCME to address the interests stated in the findings in this ordinance.

Section 2. The Council declares that an emergency exists because delay would harmfully delay the orderly implementation of the provisions of this Letter of Agreement; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Documents and Exhibits

 [Exhibit A](#) (712.12 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
October 5, 2022

Auditor of the City of Portland
Mary Hull Caballero

Impact Statement

Purpose of Proposed Legislation and Background Information

The purpose of this agreement is to amend duties for represented Business Systems Analysts I, II, and III classifications in BOEC to include stand-by duty.

Financial and Budgetary Impacts

The rate of pay is based upon total hours of assigned Stand-By Duty per fiscal year and will apply as follows:

Stand-By Duty Hours	Time Earned
1-864.99 hours	0.125 hours for each one hour of stand-by duty
865-1684.99 hours	0.15 hours for each one hour of stand-by duty
1685-2504.99 hours	0.20 hours for each one hour of stand-by duty
2505+ hours	0.25 hours for each one hour of stand-by duty

The bureau shall manage this cost within existing current service level appropriation.

Community Impacts and Community Involvement

There are no anticipated community impacts to this agreement.

100% Renewable Goal

Not applicable.

Agenda Items

825 Consent Agenda in October 5-6, 2022 Council Agenda

Passed

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea