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191214

Emergency Ordinance

*Ratify collective bargaining agreement with Portland City Laborers relating to the terms and conditions of employment of represented employees

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. The City and Portland City Laborers (PCL) are parties to a collective bargaining agreement (CBA) from July 1, 2017 through June 30, 2021, which was extended under a Letter of Agreement through June 30, 2022.
2. The City and PCL entered into successor negotiations as required under the Public Employees Collective Bargaining Act (PECBA).
3. PCL is the exclusive representative for classifications listed in Schedule A, B, and C of the CBA.
4. On February 4, 2023, lead negotiators for the City and PCL entered into a Tentative Agreement, Exhibit A (the Agreement), attached hereto and incorporated herein by this reference, that outlines the terms and conditions of employment for represented employees in the PCL bargaining unit for the period beginning on ratification to June 30, 2026 (2022-2026 CBA).
5. Employees in PCL will receive a Cost-of-Living Adjustment (COLA) of five percent (5%) retroactive to July 1, 2022 and will receive a COLA of five percent (5%) on July 1, 2023. Cost of living increases effective July 1, 2024, and July 1, 2025, will be in accordance with CPI-W West - Size Class A with a minimum increase of one percent (1%) and a maximum increase of five percent (5%).
6. Retroactive to November 15, 2022, individuals in specific classifications will receive a market-wage adjustment.
7. For classifications where steps have been added or removed from the scale, employees will move to the rate on the new scale that reflects their years of service in that classification.

Introduced by

[Mayor Ted Wheeler](#)

Bureau

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

Contact

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Manager II - Employee Relations

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Requested Agenda Type

Four Fifths

Date and Time Information

Requested Council Date

March 22, 2023

Time Requested

10 minutes

Portland Policy Document

8. Retroactive to July 1, 2022, in addition to COLA, employees in all classifications covered under the parties CBA will receive a three percent (3%) across-the-board increase.
 9. Retroactive to July 1, 2022, the following classifications will receive a two percent (2%) adjustment to the agreed on wage scale:
 - Facilities Maintenance Technician, Lead-CL
 - Facilities Maintenance Technician, CL
 - Horticulturist, Lead-CL
 - Horticulturists-CL
 - Industrial Machinist
 - Industrial Maintenance Millwright
 - Industrial Maintenance Millwright, Lead
 - Industrial Maintenance Millwright, Trainee
 - Wastewater Operations Specialist
 - Wastewater Operator I, II, III
 - Wastewater Operator, Lead
 - Wastewater Operator, Trainee
 10. The Agreement provides that the parties craft a Memorandum of Understanding (MOU) that allows each employee in the bargaining unit to cash out accrued vacation of up to a maximum of forty (40) hours once per calendar year starting on the date of ratification through December 31, 2025.
 11. The Agreement provides for 1600 hours of reasonable paid time for designated union activities under existing Article 23 of the CBA.
 12. The Agreement increases the amounts paid during swing and night shifts, as well as increases the clothing allowance for employees.
 13. The additional, and complete terms and conditions of the Agreement shall be reduced to a successor collective bargaining agreement and shall conform substantially to a form similar to Exhibit A (the 2022-2026 CBA).
- NOW, THEREFORE, the Council directs:
- A. The Agreement between the City and the Portland City Laborers' attached hereto as Exhibit A is ratified by this Council.
 - B. The 2022-2026 successor CBA shall be in a form similar to the existing CBA between the parties.
 - C. The Mayor, the Chief Human Resources Officer, and the City Auditor are authorized to execute the 2022-2026 successor CBA between the City and Portland City Laborers relating to the terms and conditions of employment for represented employees in the PCL bargaining unit for the period of July 1, 2022 to June 30, 2026, with approval as to form by the assigned City Attorney.
 - D. This ordinance is binding City policy.

Section 2. The Council declares that an emergency exists in order to avoid an unnecessary delay in the orderly implementation of the provisions of the successor CBA; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Documents and Exhibits

 [Exhibit A](#) 1.15 MB

 [Supplemental documents](#) 11.93 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
March 22, 2023

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

The purpose of this ordinance is to ratify collective bargaining agreement between the City and the Portland City Laborers' (PCL) relating to the terms and conditions of employment of represented employees in the PCL bargaining unit.

Financial and Budgetary Impacts

The annual ongoing cost of PCL contract (including wage increases, increase in standby pay and 40 hours of vacation payout), when fully implemented in FY 2025-26 is estimated at \$4,519,000.

The General Fund impact is estimated at \$1,346,000.

See the attached supplemental document for the PCL CBA Final Costing for General Fund breakdown.

Community Impacts and Community Involvement

There was no community involvement. This action is largely internal to City government processes.

100% Renewable Goal

This action has no impact on the City's renewable energy goal.

Budget Office Financial Impact Analysis

This ordinance ratifies the collective bargaining agreement with the Portland City Laborers (PCL) contract which includes wage and standby pay increases and 40 hours of vacation payout. The estimated total cost impact in the current year is approximately \$3.4 million. Of the total estimated cost increase, the General Fund's portion in the current year is \$977,645 (Parks, Police, and the Fire Bureau). The ongoing cost impact is estimated to increase to \$1,345,619 by FY 2025-26 due to the contract. It is anticipated that impacted General Fund bureaus will allocate existing resources to cover current year costs and that the additional ongoing costs will be incorporated into the impacted General Fund Bureaus current appropriation level in FY 2023-24.

The non-General Fund's portion is estimated to cost \$2,414,807 total in the current year, with PBOT's costs expected to increase by \$1.6 million this year, which is estimated to increase to \$1.9 million in additional ongoing costs by FY 2025-26. The additional costs from the contract were not built into PBOT's General Transportation Revenue five year forecast and will require additional ongoing reductions to balance beginning in FY 2024-25. The Bureau of Environmental Services (BES) will also experience an anticipated ongoing cost increase of \$670,754 in the current year which is expected to grow to \$1,150,322 in FY 2025-26. Finally, the Parks' Golf Fund, the Portland International Raceway Fund, and the CityFleet Operating Fund will experience cost increases because of the PCL contract. The estimated ongoing costs for each fund are expected to increase to \$71,459 for the Golf Fund, \$11,614 for the Parks International Raceway Fund and \$33,062 in the CityFleet Operating Fund by FY 2025-26.

Agenda Items

246 Four-Fifths Agenda in [March 22, 2023 Council Agenda](#)

Passed

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea