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191790

Emergency Ordinance

*Authorize Letter of Agreement with the American Federation of State, County and Municipal Employees, Local 189 to recognize previously non-represented employees classified as Senior System Analysts on the Human Capital Management Team as represented employees classified as Business System Analysts

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. The City and the American Federation of State, County and Municipal Employees, Local 189 (AFSCME189) are parties to a collective bargaining agreement (CBA) effective January 1, 2021 through December 31, 2024.
2. On August 2, 2023, the Employment Relations Board (ERB) determined seven members of the Bureau of Technological Services Human Capital Management Team (HCM Team) are public employees properly included in AFSCME-189's existing bargaining unit of Business System Analysts (BSAs).
3. In the process of transitioning the HCM Team from non-represented to represented status, the City negotiators tentatively agreed to waive HCM Team member's repayment of non-represented management leave awards. The City further tentatively agreed to grant the HCM Team compensatory time, overtime, retroactive recognition status and related pay adjustments; The City has also agreed to a one-time payment of \$3,000.00 to each to six of the HCM Team members. The tentative Letter of Agreement attached as Exhibit A.

NOW, THEREFORE, the Council directs:

- A. The Interim Director of the Bureau of Human Resources is authorized to enter into a Letter of Agreement between the City and AFSCME189 in a form substantially similar to the attached Exhibit A to reclassify effected employees as BSAs and identify their terms of employment.

Introduced by

[Mayor Ted Wheeler](#)

Bureau

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

Contact

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Requested Agenda Type

Consent


Date and Time Information

Requested Council Date

June 26, 2024

Section 2. The Council declares that an emergency exists to avoid undue delay in granting represented status to Senior Systems Analysts in the Human Capital Management Team and implementing its distinct terms and conditions of employment; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

Documents and Exhibits

 [Exhibit A \(https://www.portland.gov/sites/default/files/council-documents/2024/hcm-bsa-loa-wtables-updated-06.05.2024.pdf\)](https://www.portland.gov/sites/default/files/council-documents/2024/hcm-bsa-loa-wtables-updated-06.05.2024.pdf) 654.4 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
June 26, 2024

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

The purpose of this Ordinance is to authorize a letter of agreement with the American Federation of State, County, & Municipal Employees Local 189 to recognize previously non-represented employees classified as Senior Systems Analysts on the Human Capital Management Team as represented employees covered under the bargaining unit as Business System Analyst IIIs. It is additionally intended to address employment terms and conditions retroactive to March 14, 2022.

Financial and Budgetary Impacts

The net fiscal impact is estimated to be \$100,700. The amount includes:

- \$17,400 in net underpayments during the period beginning March 9, 2022, and projected through December 31, 2024;
- \$39,200 in compensatory time off;
- \$18,000 in one-time bonuses; and
- \$26,100 in additional wage-driven benefits due to the additional earnings.

All amounts will be paid during fiscal year 24/25, and the cost will be absorbed from the Bureau of Technology Services' annual operational budget.

Community Impacts and Community Involvement

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

100% Renewable Goal

Not applicable.

Budget Office Financial Impact Analysis

This ordinance recognizes the seven-member HCM team as Business Systems Analyst IIIs represented by AFSCME. One-time estimated cost of \$100,700 to be absorbed in BTS's FY 24-25 operational budget, with no impact on the General Fund.

Document History

Item 574 Consent Agenda in [June 26, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/6/26)
(<https://www.portland.gov/council/agenda/2024/6/26>)

City Council

Passed

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea