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191818

Ordinance

Authorize Letter of Agreement with Laborers' International Union of North America Local 483 to create a pesticide premium for licensed employees

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. The City and Laborers' International Union of North America Local 483 - PCL (LiUNA - PCL) are parties to a Collective Bargaining Agreement (CBA) effective July 1, 2022 through June 30, 2026.
2. LiUNA - PCL is the exclusive bargaining representative on behalf of employees working in the classifications listed in Schedule A of the CBA.
3. Portland Bureau of Transportation (PBOT) management expressed an interest in providing premium pay for employees in the Maintenance Operations Group who handle pesticide application for noxious weed control. Employees conducting the spraying of pesticide must comply with Maintenance Operations' pesticide application policies and procedure, and, under ORS 634.116, must maintain a valid Oregon Pesticide Public Applicator license.
4. With the tentative Letter of Agreement attached as Exhibit A, representatives of the City and LiUNA - PCL wish to establish specific premium pay for PBOT Maintenance Operations Group employees who hold and maintain an active Oregon Pesticide Public Applicator license at the rate of \$2.00 for each hour they are handling or applying restricted-use pesticide. Employees shall not receive this premium when on vacation, sick leave, or any other paid leave of absence. All other language in the Schedule "A" Premiums section of the CBA shall apply. This agreement will expire on July 1, 2026, unless otherwise mutually agreed to by the parties in writing.

NOW, THEREFORE, the Council directs:

- A. Council hereby authorizes the Bureau of Human Resources Director to enter into a Letter of Agreement with LiUNA - PCL in a form

Introduced by

[Mayor Ted Wheeler](#)

Bureau

[Human Resources](#)

Contact

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Requested Agenda Type

Consent

Date and Time Information

Requested Council Date

July 10, 2024

substantially similar to Exhibit A to create a pesticide premium pay.

B. This agreement shall be in effect once all signatories have executed it and after approval and authorization for the agreement from City council.

Documents and Exhibits

 [Exhibit A \(https://www.portland.gov/sites/default/files/council-documents/2024/laborers-international-union-of-north-america-local-483-pesticide-premium-loa-exhibit-a.pdf\)](https://www.portland.gov/sites/default/files/council-documents/2024/laborers-international-union-of-north-america-local-483-pesticide-premium-loa-exhibit-a.pdf), 82.53 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
July 10, 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 the Director of the Bureau of Human Resources to enter into a Letter of Agreement between the City and Laborers' International Union of North America Local 483 - PCL, creating a new premium pay for holders of an active Oregon Pesticide Public Applicator license to be paid while they are handling or applying restricted-use pesticides.

Financial and Budgetary Impacts

The net fiscal impact in FY 2024-25 is estimated to be less than \$6,000, which includes 9-10 licensed staff applying restricted-use pesticides for 6 hours a day (including loading and handling of the product), four times a week, for up to 12 weeks. Costs associated with the premium will be part of the Vegetation Management program costs and will not require additional new funding.

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 authorizes BHR to enter a Letter of Agreement with LiUNA-PCL to create a pesticide premium pay for PBOT workers handling restricted use pesticides through the duration of the current contract (June 20,2026). It is estimated to cost an additional \$6,000 per fiscal year and will be paid for as part of Vegetation Management program costs. It should be noted that although this is a very small additional cost, it is nonetheless an increase in ongoing costs for a bureau facing future funding challenges.

Document History

Item 613 Consent Agenda in [July 3, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/7/3) (<https://www.portland.gov/council/agenda/2024/7/3>)

City Council

Passed to second reading

Passed to second reading July 10, 2024 at 9:30 a.m.

Item 638 Consent Agenda in [July 10, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/7/10) (<https://www.portland.gov/council/agenda/2024/7/10>)

City Council

Passed

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea