

RESOLUTION No. 36776

Authorize the Director of the Bureau of Human Resources, with the concurrence of the City Attorney, to commence legal proceedings to protect the City's interests during successor contract collective bargaining negotiations (Resolution)

WHEREAS, the Director of the Bureau of Human Resources is the City's authorized representative for purposes of collective bargaining; and

WHEREAS, state bargaining law (the Public Employee Collective Bargaining Act) requires the City, acting in its capacity of public employer, to meet and negotiate with representatives of its employees about mandatory subjects of bargaining; and

WHEREAS, seven of the eight collective bargaining agreements that exist between the City and representatives of its employees expire on June 30, 2010; and

WHEREAS, collective bargaining negotiations regarding these agreements are underway; and

WHEREAS, the City has an interest in using all of the legal tools available to it to protect its interests relating to collective bargaining; and

WHEREAS, the City when acting as a public employer may file unfair labor practice complaints under state bargaining law in order to enforce its legal rights; and

WHEREAS, Portland City Code 3.10.030 (G) authorizes the City Attorney to institute legal proceedings for the City in any court or tribunal on direction by resolution of the Council;

NOW, THEREFORE, BE IT RESOLVED, the Bureau of Human Resources Director, with the concurrence of the City Attorney, are hereby authorized to commence legal proceedings to protect the City's interests during successor contract collective bargaining negotiations. The Human Resources Director or City Attorney are to report back to Council regarding such actions.

Adopted by the Council: **APR 07 2010**

Mayor Sam Adams
Prepared by: Stephanie Harper
Date Prepared: March 25, 2010

LaVonne Griffin-Valade
Auditor of the City of Portland


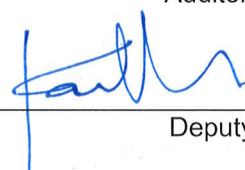
By  Deputy

482

✓140

Agenda No.
RESOLUTION NO. 36776
 Title

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| <p>INTRODUCED BY Commissioner/Auditor: Mayor Sam Adams</p> | <p>CLERK USE: DATE FILED <u>APR 02 2010</u></p> |
| <p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Adams </p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p> | <p>LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By:  Deputy</p> |
| <p>BUREAU APPROVAL</p> <p>Bureau: Human Resources Bureau Head: Yvonne L. Deckard</p> | <p>ACTION TAKEN:</p> |
| <p>Prepared by: Stephanie Harper Date Prepared: April 1, 2010</p> | |
| <p>Financial Impact Statement</p> <p>Completed <input type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input checked="" type="checkbox"/></p> | |
| <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> | |
| <p>Council Meeting Date April 7, 2010</p> | |
| <p>City Attorney Approval</p> | |

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| AGENDA |
| <p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p> |
| <p>CONSENT <input type="checkbox"/></p> |
| <p>REGULAR <input checked="" type="checkbox"/></p> <p>Total amount of time needed: 5 minutes (for presentation, testimony and discussion)</p> |

| FOUR-FIFTHS AGENDA | COMMISSIONERS VOTED AS FOLLOWS: | |
|--------------------|---------------------------------|-------|
| | YEAS | NAYS |
| 1. Fritz | ✓ | |
| 2. Fish | ✓ | |
| 3. Saltzman | ✓ | |
| 4. Leonard | ✓ | |
| Adams | _____ | _____ |