

## Letter of Agreement

This Agreement is entered into between City of Portland ("City") and The District Council of Trade Unions ("DCTU").

### Background

1. The City and the District Council of Trades Unions (DCTU) are parties to a collective bargaining agreement effective July 1, 2010 to June 30, 2013.
2. The City requires employees working in certain classifications to possess a valid Commercial Driver's License (CDL) if they perform or have any expectation of performing safety-sensitive duties as defined by the US Department of Transportation Federal Motor Carrier Safety Administration regulations. Some employees may be assigned to classifications in which not all positions require a CDL.
3. The City plans to cut a number of positions and lay off DCTU represented employees.
4. Currently the City and the DCTU do not have an agreement that would allow employees who do not hold a valid CDL and who bump to a position that requires it time to obtain a valid CDL in order to be qualified to perform the duties associated with the classification.
5. The parties agree that it is in their mutual best interest to allow such employees a grace period to obtain a CDL.

### Agreement

The parties agree as follows:

1. An employee who does not hold a valid CDL at the time he or she bumps to a position that requires a CDL shall have up to sixty (60) days from the date the he or she moves to the new position to obtain a valid CDL.
2. An employee without a valid CDL who bumps to a position that requires a valid CDL shall be accommodated for up to sixty (60) days in a non-CDL assignment until he or she obtains a valid CDL.
3. If an employee is unable to obtain a valid CDL within the sixty (60) day period, he or she shall be laid off according to the provisions of Article 14.
4. The parties agree that the terms of this Agreement shall not establish any precedent whatsoever.
5. This agreement sunsets on June 30, 2013.
6. This Letter of Agreement shall become effective upon ratification by City Council.

*Yvonne L. Deckard* 3/22/2012  
Yvonne L. Deckard Date  
Bureau of Human Resources Director

*Cherry Harris* 2-21-12  
Cherry Harris Date  
DCTU President  
Stationary Coordinator, Operating Engineers Local 701

*Rob Wheaton* 2-21-2012  
Rob Wheaton Date  
DCTU Vice President  
Council Representative, AFSCME Local 189

*Richard Beetle* 2-21-12  
Richard Beetle Date  
DCTU Secretary-Treasurer  
Business Manager, Laborer's Local 483

*Bob Carroll* 2-21-12  
Bob Carroll Date  
Business Representative, IBEW Local 48

*Scott Lucy* 2-21-12  
Scott Lucy Date  
Business Representative, IAMAW Lodge 24

*Pat Christensen* 2-21-12  
P. Mike O'Rourke Pat Christensen Date  
Business Representative, Plumbers and Steamfitters, Local 290

*Bud Bartunek* 3-22-12  
Bud Bartunek Date  
Business Representative, Painters and Allied Trades, District Council 5

Approved as to Form:

*Catherine Riffe* 3/28/12  
Catherine Riffe, Date  
Chief Deputy City Attorney