

RESOLUTION No.

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 related to collective bargaining (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 current collective bargaining processes, including legal proceedings to enforce the City's rights under the Public Employee Collective Bargaining Act and the various collective bargaining agreements.

Adopted by the Council:

Mayor Sam Adams

Prepared by: Stephanie Harper

Date Prepared: March 25, 2010

LaVonne Griffin-Valade

Auditor of the City of Portland

By

Deputy

Agenda No.
RESOLUTION NO.
 Title

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INTRODUCED BY Commissioner/Auditor: Mayor Sam Adams	CLERK USE: DATE FILED <u>MAR 26 2010</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Leonard	LaVonne Griffin-Valade Auditor of the City of Portland By: <u>[Signature]</u> Deputy
BUREAU APPROVAL Bureau: Human Resources Bureau Head: Yvonne L. Deckard	ACTION TAKEN: MAR 31 2010 REFERRED TO COMMISSIONER OF FINANCE AND ADMINISTRATION.
Prepared by: Stephanie Harper Date Prepared: March 25, 2010	
Financial Impact Statement Completed <input type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input checked="" type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Council Meeting Date March 31, 2010	
City Attorney Approval <u>[Signature]</u>	

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

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