

LETTER OF AGREEMENT

The parties to this agreement are the City of Portland (City) on behalf of the Bureau of Transportation (Bureau) Parking Enforcement Division (Division) and AFSCME local 189 (Union).

Background

1. Under the Oregon Revised Statutes / Oregon Administrative Rules, municipalities are not permitted to enforce parking meters on recognized holidays.
2. Four City designated holidays, New Year's Day, Independence Day, Veteran's Day and Christmas Day, fall on a specific calendar day each year.
3. Per Article 15.1.1 of the labor agreement between the City and the District Council of Trade Unions, when one of these designated holidays falls on a Saturday or Sunday, it is observed on Friday or Monday, respectively.
4. When meters are not enforced on a Saturday or Sunday because of state statute and rule, there is no work for the Parking Code Enforcement Officers scheduled to work that day.


Agreement

1. The Parking Code Enforcement Officers scheduled to work on a Saturday or Sunday described above will be permitted to elect one of the following:
 - A. With the approval of their supervisor, work a scheduled day off in the same Fair Labor Standards Act (FLSA) work week.
 - B. Use accrued Vacation Leave, Compensatory Time or a deferred or postponed holiday.
 - C. Elect to take the day off without pay.
2. If the Officer elects 1(C), they will receive the holiday pay for December 25 and January 1, Article 15.2.3 notwithstanding.

This agreement is based on the particular circumstances described above and does not constitute a precedent for either party.

This agreement is effective with its approval by City Council. Either party may provide notice that it wishes to terminate this Agreement. Such notice will be in writing and will be in effect 30 days after its receipt.

For the Union:



Rob Wheaton, Council Representative

5/11/2012
date


For the Bureau:



Tom Miller, Director

7/6/12
date

For the City:



Anna Kanwit, Director
Bureau of Human Resources

7-24-12
date

Approved as to Form:



Lory Kraus, Deputy City Attorney

5/14/12
date