

# ORDINANCE No. 186118

\* Ratify a Letter of Agreement between the City on behalf of the Portland Water Bureau and the AFSCME, Local 189-1 authorizing alternative holiday pay for certain employees in the Water Treatment Operator classification who work at Headworks (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The City and the District Council of Trade Unions (DCTU), of which AFSCME, Local 189-1 is a member, are parties to a collective bargaining agreement (CBA) effective July 1, 2010 to June 30, 2013.
2. AFSCME, Local 189-1 is the sole bargaining representative on behalf of employees working at the Portland Water Bureau (PWB) in the Water Treatment Operator classification.
3. Article 15.1.1 of the CBA lists the state and federal holidays recognized and observed as guaranteed paid holidays, which are referred to herein as holidays.
4. Under Article 15.2 of the CBA, eligible employees receive holiday pay for each employee's regularly scheduled work shift for the holidays on which they perform no work (e.g., an employee regularly scheduled to work an 8 hour shift will be paid 8 hours holiday pay; an employee regularly scheduled to work a 10 hour shift will be paid 10 hours holiday pay.)
5. Under Article 15.1.3 of the CBA, when a holiday falls on an employee's first regularly scheduled day off, the day before the holiday shall be considered the holiday and paid as such.
6. The Headworks Water Treatment Operators on Day 1 Shift, Day 2 Shift, Night 1 Shift and Night 2 Shift (collectively referred to as "Shift WTOs") work a bi-weekly rotation of three 12.25 hour work days, two days off, one 12.25 hour work day, one 6.50 hour work day, three days off, and two 12.25 hour work days. The 6.50 hour work day always falls on a Thursday.
7. When a holiday falls on a Thursday or Friday, and that holiday is observed on Thursday for one set of the Day Shift and Night Shift WTOs referenced above, those Shift WTOs only receive 6.50 hours of holiday pay and compensation for hours worked on Thursday as stated in Article 15.2, which is less than the other set of Day Shift and Night Shift Water Treatment Operators who do not work the Thursday on which the holiday is observed.
8. The City and AFSCME, Local 189-1 entered into a Letter of Agreement (LOA) that authorizes alternative holiday pay for Shift WTOs who are assigned to the Day 1, Day 2, Night 1, and Night 2 shifts.

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9. Under the LOA, when a holiday falls on or is observed on a Thursday, employees assigned to the shifts listed above shall observe the holiday on the following Monday. As a result, employees shall receive 12.25 hours of holiday pay instead of 6.5 hours of holiday pay.
  10. The LOA is effective November 3, 2010 to June 30, 2013.
  11. The Bureau will fund the LOA within its current service level budget.

NOW, THEREFORE, the Council directs:

- a. The LOA between the City and AFSCME, Local 189-1 attached as Exhibit A is hereby ratified by the Council.

Section 2. The Council declares that an emergency exists in order that this compensation action may occur without delay; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council: **JUN 27 2013**

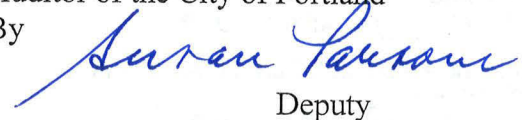
Mayor Hales

Prepared by: Anna Kanwit:JMG:ss

Date Prepared: June 10, 2013

**LaVonne Griffin-Valade**  
Auditor of the City of Portland

By



Deputy

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J190

Agenda No.  
**ORDINANCE NO.**  
Title

**186118**

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<p><b>INTRODUCED BY</b> Commissioner/Auditor: <b>Mayor Charlie Hales</b></p> <p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Hales <i>[Signature]</i> Gail Shibley Position 1/Utilities <b>Chief of Staff</b> Mayor Charlie Hales</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p> <p><b>BUREAU APPROVAL</b></p> <p>Bureau: OMF/Human Resources CAO: Jack D. Graham Bureau Head: Anna Kanwit</p> <p>Prepared by: Julia Getchell:ss Date Prepared: June 10, 2013</p> <p>Financial Impact &amp; Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input 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: June 26, 2013 27</p> <p><b>City Attorney Approval:</b> <input checked="" type="checkbox"/> required for contract, code, easement, franchise, comp plan, charter</p>	<p>CLERK USE: DATE FILED <u>JUN 21 2013</u></p> <p>LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <u><i>[Signature]</i></u> Deputy</p> <p><b>ACTION TAKEN:</b></p>
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<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input checked="" type="checkbox"/></p>
<p><b>REGULAR</b> <input type="checkbox"/></p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>

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