

ORDINANCE No. 186476 As Amended

Ratify a successor collective bargaining agreement between the City and Oregon AFSCME Council 75 Local 189-2 relating to the terms and conditions of employment of represented employees at the Bureau of Emergency Communications for 2013-2016 (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The City and AFSCME Council 75 Local 189-2 (AFSCME Local 189-2) are parties to a collective bargaining agreement effective July 1, 2010 to June 30, 2013 (the 2010-2013 CBA).
2. AFSCME Local 189-2 is the sole and exclusive bargaining agent for the purpose of establishing wages, hours and conditions of employment for probationary and permanent employees employed at the Bureau of Emergency Communications (BOEC) in the classifications listed in Schedule "A" of the 2010-2013 CBA.
3. On February 27, 2013, pursuant to its obligations under ORS 243.650 *et seq.*, the City entered into negotiations for a successor agreement to the 2010-2013 CBA with AFSCME Local 189-2.
4. On December 18, 2013, representatives of the City and AFSCME Local 189-2 signed a Tentative Agreement, Exhibit A (the Agreement), that outlines the terms and conditions of employment for bargaining unit employees for the period of July 1, 2013 through June 30, 2016 (the 2013-2016 successor CBA). Exhibit A is viewable at the following link: <http://www.portlandoregon.gov/bhr/article/479453>
5. The Agreement meets the City's bargaining interests by securing a three-year collective bargaining agreement and agreeing to wage increases, overtime provisions, health benefits, annual leave and other terms and conditions of employment.
6. The Agreement continues to apply the principles of total compensation as the basis for bargaining all monetary subjects and ties general compensation to the Consumer Price Index (CPI). General wage increases will continue to be tied to the Portland CPI-W.
7. As of the date this ordinance is submitted, AFSCME Local 189-2 has ratified the Agreement.
8. Upon ratification by City Council, salary rates for bargaining unit employees are to be increased by fifty percent (.9%) of the annual increase in the Portland CPI-W, retroactive to August 29, 2013. Salary rates FY Two and FY Three are to be increased by 100% of the annual increase in the Portland CPI-W. However, in no event shall the salary increase FY Two and FY Three be less than one percent or greater than five percent.
9. The Agreement continues the current health insurance premium share at 95 percent / five percent for the term of the Agreement.

10. The Agreement allows employees to take one additional fifteen minute break if their shift is longer than six hours. The cost associated with allowing the additional break will not impact BOEC's current service level budget. Additionally, employees will no longer be required to take a break in each half of their shift.
11. Effective upon ratification, employees will accrue an additional 12 hours of annual leave per calendar year. The cost for the increase of the annual leave accrual hours will be offset by 12 hours reduction in premium pay for working certain hours on the Memorial Day holiday.
12. In the spirit of shared sacrifice, the City and AFSCME 189-2 have agreed on cost saving measures in the 2013-2016 successor CBA that will be effective upon ratification, including, but not limited to:
 - a. Employees will be restricted to receiving straight time pay for all voluntary overtime hours worked if they have taken unpaid leave in a pay period until they have worked the equal number of hours taken as unpaid leave.
 - b. Employees will be restricted to an accrual of a maximum of 120 compensatory (comp) hours per calendar year. All accrued comp hours not used by the end of the calendar year will be paid out to employees.
 - c. Employees will no longer have the option of earning a vacation day card bonus for every 12 hours of overtime worked. Employees who have earned a vacation day card bonus for working overtime prior to ratification will be allowed to use the vacation day card bonus until the expiration date of the vacation day card, or within six months of the date the vacation day card bonus was issued, whichever date comes first.
13. The terms and conditions of the 2013-2016 successor CBA shall conform substantially to a form similar to Exhibit A.
14. The Mayor, the Human Resources Director and the City Auditor shall be authorized to execute the 2013-2016 successor CBA with approval as to form by the assigned Deputy City Attorney.

NOW, THEREFORE, the Council directs:

- a. The Mayor, the Human Resources Director and the City Auditor are authorized to execute the 2013-2016 successor CBA between the City and AFSCME Local 189-2 relating to the terms and conditions of employment for represented employees at BOEC, with approval as to form by the assigned Deputy City Attorney.
- b. The 2013-2016 successor CBA shall conform to a form similar to the Agreement attached as Exhibit A.

- c. The City is authorized to pay for any City cost increases associated with the 2013-2016 successor CBA for fiscal year 2013-14 through fiscal year 2015-16 from the BOEC budget.
- d. This ordinance is binding City policy.

Passed by the Council: FEB 26 2014

Mayor Charlie Hales

Prepared by: Anna Kanwit:JPG:ss

Date Prepared: February 4, 2014

LaVonne Griffin-Valade
Auditor of the City of Portland

By


Deputy

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<p>INTRODUCED BY Commissioner/Auditor: Mayor Charlie Hales</p> <p>COMMISSIONER APPROVAL <i>for</i> Mayor—Finance and Administration - Hales</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p> <p>BUREAU APPROVAL Bureau: Bureau of Human Resources Interim OMF CAO: Fred Miller Bureau Head: Anna Kanwit <i>A</i></p> <p>Prepared by: Jerrell Gaddis:ss Date Prepared: February 4, 2014</p> <p>Financial Impact & 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 checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>City Auditor Office Approval: required for Code Ordinances</p> <p>City Attorney Approval: Catherine Riffe, Chief Deputy City Attorney required for contract, code, easement, franchise, comp plan, charter <i>CR</i></p> <p>Council Meeting Date: February 19, 2014</p>	<p>CLERK USE: DATE FILED <u>FEB 14 2014</u></p> <p style="text-align: right;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p>ACTION TAKEN: FEB 19 2014 PASSED TO SECOND READING As Amended FEB 26 2014 9:30 A.M.</p>
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AGENDA
<p>TIME CERTAIN <input checked="" type="checkbox"/> <i>GMS</i> Start time: 10:00 a.m. 10:30 AM</p> <p>Total amount of time needed: 30 minutes (for presentation, testimony and discussion)</p>
<p>CONSENT <input type="checkbox"/></p>
<p>REGULAR <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	✓	