

# ORDINANCE No. 18 6741

\*Ratify a Letter of Agreement between the City on behalf of the Revenue Bureau and the Portland Bureau of Transportation and the American Federation of State, County and Municipal Employees, Council 75, Local 189 for Recruitment of a Regulatory Program Administrator (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The City and the District Council of Trade Unions, of which the American Federation of State, County and Municipal Employees, Council 75, Local 189 (AFSCME Local 189) is a signatory member, are parties to a collective bargaining agreement effective July 1, 2013 to June 30, 2017 (the 2013-2017 CBA).
2. AFSCME Local 189 is the sole and exclusive bargaining agent for employees who are employed at the City in the classification of Regulatory Program Administrator.
3. Article 13 of the 2013-2017 CBA addresses the promotional process. It provides that all permanent and probationary employees within a bureau with an opportunity for an interview, subject to qualifications through proper Bureau of Human Resources procedures. Furthermore, if two or more employees within the bureau are certified, any appointment shall be made from among those employees.
4. As part of the Fiscal Year 2014 – 2015 Adopted Budget, the City Council transferred the Regulatory Division of the Revenue Bureau to the Portland Bureau of Transportation (PBOT) effective July 1, 2014.
5. Prior to the transfer, the Revenue Bureau initiated a recruitment to hire a Regulatory Program Administrator to coordinate the towing program. The recruitment was halted due to the impending transfer of the program.
6. PBOT now intends to initiate a recruitment for a Regulatory Program Administrator to coordinate the towing program.
7. On July 14, 2014, the City on behalf of the Revenue Bureau and PBOT entered into a Letter of Agreement (LOA) with AFSCME Local 189, Exhibit A attached hereto, that authorizes Revenue Bureau employees who were not transferred to PBOT to have the same opportunity for promotion to the Regulatory Program Administrator position as do the PBOT employees.

8. The LOA provides that the Revenue Bureau employees will be treated the same as the PBOT employees as set forth in Article 13.1 and 13.2 of the 2013-2017 CBA for the sole purpose of the pending recruitment for the Regulatory Program Administrator position.
9. The LOA will be in effect for the pending recruitment upon approval by City Council and will expire once the position is filled.

NOW, THEREFORE, the Council directs:

- a. The LOA between the City on behalf of the Revenue Bureau and PBOT and AFSCME Local 189 attached hereto as Exhibit A is ratified by this Council.
- b. This ordinance is binding City policy.

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

Passed by the Council: AUG 06 2014

**LaVonne Griffin-Valade**

Auditor of the City of Portland

By

*Gayla Jennings*

Mayor Charlie Hales

Prepared by: Anna Kanwit:PTW:ss

Date Prepared: July 21, 2014

Deputy

2170

**818**  
 Agenda No.  
**ORDINANCE NO. 18 6741**  
 Title

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<p style="text-align: center;"><b>INTRODUCED BY</b>          Commissioner/Auditor:  <b>Mayor Charlie Hales</b></p>	<p>CLERK USE: DATE FILED <u>AUG 01 2014</u></p>
<p style="text-align: center;"><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Hales <i>[Signature]</i></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 style="text-align: center;">LaVonne Griffin-Valade          Auditor of the City of Portland</p> <p>By: <i>[Signature]</i>          Deputy</p>
<p style="text-align: center;"><b>BUREAU APPROVAL</b></p> <p>Bureau: Bureau of Human Resources          OMF CAO: Fred Miller <i>[Signature]</i>          Bureau Head: Anna Kanwit <i>[Signature]</i></p> <p>Prepared by: AK:PTW:ss          Date Prepared: July 21, 2014</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 checked="" type="checkbox"/> No <input type="checkbox"/></p> <p><b>City Auditor Office Approval:</b>          required for Code Ordinances</p> <p><b>City Attorney Approval:</b> Lory Kraut, Senior Deputy City Attorney          required for contract, code, easement franchise, comp plan, charter <i>[Signature]</i></p> <p>Council Meeting Date August 6, 2014</p>	<p><b>ACTION TAKEN:</b></p>

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