

ORDINANCE No. 187008

*Ratify a Letter of Agreement between the City on behalf of the Portland Police Bureau and the American Federation of State, County and Municipal Employees, Local 189 that authorizes Alternative Work Schedules, Overtime Pay Provisions and Work Schedule Adjustments for Employees in the Crime Prevention Program Administrator Classification (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The City and the District Council of Trade Unions (DCTU), of which the American Federation of State, County and Municipal Employees, Local 189 (AFSCME, Local 189) is a signatory member, are parties to a collective bargaining agreement in effect for the period of July 1, 2013 through June 30, 2017 (the CBA).
2. AFSCME, Local 189 is the sole and exclusive bargaining agent for the purpose of establishing wages, hours and conditions of employment for employees in the classification of Crime Prevention Program Administrator (Job ID 30000309).
3. Article 7.1 of the CBA defines a “workweek” as five consecutive eight-hour days, for a total of 40 hours per week. The CBA also provides at Article 7.1.1 that employees may work an alternative work schedule of four consecutive 10-hour days (4/10 schedule) upon mutual agreement between the City and a signatory member Union of the DCTU.
4. Article 8.3 of the CBA provides that employees may only adjust their schedule within a work day for personal reasons. However, the operational needs of the Portland Police Bureau (PPB)’s Family Services Division require employees in the Crime Prevention Program Administrator classification to adjust their schedules within a work day or a workweek on occasion for work reasons.
5. Article 9.1 of the CBA provides that employees are entitled to overtime pay for work performed outside of or in excess of their established shift hours.
6. On January 20, 2015, the City on behalf of the PPB entered into a Letter of Agreement with AFSCME, Local 189, attached hereto as Exhibit A, in which the parties have mutually agreed that employees in the classification of Crime Prevention Program Administrator may work a 4/10 schedule (the LOA).
7. The parties agree in the LOA that employees who work in the Crime Prevention Program Administrator classification will be paid overtime after working 40 hours within a workweek.
8. The LOA further provides that the employees may occasionally adjust their schedule within a work day or within a workweek to meet the needs of the City or to meet the needs of the employee, so long as the schedule adjustment request is made in advance and there is mutual agreement between management and the employee.

9. The 4/10 schedules, the overtime provisions and the schedule adjustments for employees in the Crime Prevention Program Administrator classification will begin on the first day of the payroll period following the signing of the LOA.

NOW, THEREFORE, the Council directs:

- a. The LOA between the City on behalf of the PPB 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 to avoid an unnecessary delay in the orderly implementation of the LOA; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council: FEB 11 2015

Mayor Charlie Hales
Prepared by: Anna Kanwit:MW:ss
Date Prepared: February 2, 2015

Mary Hull Caballero
Auditor of the City of Portland

By



Deputy

Agenda No.
ORDINANCE NO.

187008

Title

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<p style="text-align: center;">INTRODUCED BY Commissioner/Auditor: Mayor Charlie Hales</p>	<p>CLERK USE: DATE FILED <u>FEB 06 2015</u></p>
<p style="text-align: center;">COMMISSIONER APPROVAL</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;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u><i>[Signature]</i></u> Deputy</p>
<p style="text-align: center;">BUREAU APPROVAL</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:MW:ss <i>[Signature]</i> Date Prepared: February 2, 2015</p>	<p>ACTION TAKEN:</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: Mark Amberg, Chief Deputy Attorney, required for contract, code, easement, franchise, comp plan, charter <i>[Signature]</i></p>	
<p>Council Meeting Date: February 11, 2015</p>	

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