

ORDINANCE No. 187277 As Amended

*Ratify a successor collective bargaining agreement between the City and Oregon AFSCME Council 75 Local 189-3 relating to the terms and conditions of employment of represented employees at the Portland Housing Bureau for 2015-2019 (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The City on behalf of the Portland Housing Bureau (PHB) and AFSCME Council 75 Local 189-3 (the Union) are parties to a collective bargaining agreement effective July 1, 2011 to June 30, 2015 (the 2011-2015 CBA).
2. The Union 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 PHB in the classifications listed in Schedule "A" of the 2011-2015 CBA.
3. On January 21, 2015, pursuant to the City's obligations under ORS 243.650 *et seq.*, representatives of the City entered into negotiations with the Union for a successor agreement to the 2011-2015 CBA.
4. On June 23, 2015, representatives of the City and the Union signed a Tentative Agreement, Exhibit A (the Agreement), attached hereto and incorporated by this reference, that outlines the terms and conditions of employment for bargaining unit members at the PHB for the period of July 1, 2015 through June 30, 2019 (the 2015-2019 successor CBA).
5. As of the date this ordinance is submitted, the Union is expected to ratify the Agreement by no later than July 9, 2015.
6. The Agreement meets the City's bargaining interests by securing a four-year collective bargaining agreement and agreeing to wage increases, health benefits, and other terms and conditions of employment.
7. 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.
8. Upon ratification by City Council, salary rates for bargaining unit employees at the PHB are to be increased by 2.1 percent, which is 100 percent of the annual increase in the Portland CPI-W. The new salary rates will be retroactive to July 1, 2015 if the Union ratifies the Agreement by no later than July 9, 2015.

9. Salary rates for 2016-2017, 2017-2018 and 2018-2019 are to be increased by 100 percent of the annual increase in the Portland CPI-W. However, in no event shall the salary increase for 2016-2017, 2017-2018 and 2018-2019 be less than one percent or greater than five percent.
10. The Agreement continues the current health insurance premium share at 95 percent / five percent for each regularly appointed full-time employee who elects the Self-Insured Plan or the Kaiser Plan for Benefit Plan Years July 1, 2015 through June 30, 2018.
11. Effective in Benefit Plan Year beginning July 1, 2017, and in subsequent plan years, the City shall contribute 100 percent of the medical and vision rates and 95 percent of the dental rates recommended by the Labor Management Benefits Committee (LMBC) and approved by City Council for regularly appointed full-time employees who elect the High Deductible Health Plan (HDHP). Employees who elect the HDHP shall contribute five percent of the dental rates recommended by the LMBC and approved by City Council.
12. Effective in Benefit Plan Year beginning July 1, 2018, and in subsequent plan years, the City will continue the health insurance premium share at 95 percent / five percent for each regularly appointed full-time employee who elects the Self-Insured Plan or the Kaiser Plan; provided that the employee has received a preventive health care examination within the prior two full calendar years.
13. Effective in Benefit Plan Year beginning July 1, 2018, and in subsequent plan years, the health insurance premium share will be 90 percent / 10 percent for employees who elect the Self-Insured Plan or the Kaiser Plan and who do not receive a preventive health care examination in the prior two full calendar years.
14. Effective in Benefit Plan Year beginning July 1, 2018, and in subsequent plan years, newly hired full-time employees who elect the Self-Insured Plan or the Kaiser Plan will have one full calendar year to receive a preventive health care examination to retain the City's 95 percent contribution and the employee's five percent contribution in the subsequent plan year. The City will contribute 90 percent and the employee will contribute 10 percent for each newly hired employee who fails to receive a preventive health examination in the first full calendar year of service.
15. The requirement of a preventive health care examination to retain the 95 percent / five percent premium share contribution for employees who elect the Self-Insured Plan or the Kaiser Plan reflects the value the City places on the importance of maintaining a relationship with a primary health care provider. The requirement has the most potential impact for employees when health issues arise.
16. An employee who elects the HDHP will not be required to receive a preventive health examination because of the potential risk the employee is taking that the employee will not have any major health issues while covered by the HDHP.

17. The premium share contributions for all health care plans offered will be prorated for part-time regularly appointed employees for the life of the 2015-2019 successor agreement.
18. Any costs associated with the HDHP effective beginning Benefit Plan Year July 1, 2017 and the Self-Insured Plan or the Kaiser Plan effective beginning Benefit Plan Year July 1, 2018 are expected to be cost neutral for the small group of bargaining unit employees at the PHB.
19. In recognition of a mutual interest in creating a program for employees who are asked to utilize their ability to speak a foreign language or American Sign Language as part of their job duties, the City will create a citywide work group that consists of management from stakeholder bureaus and labor. The work group will be tasked with making written recommendations to the Human Resources Director. Should the work group's recommendations include mandatory subjects of bargaining, the City has agreed to open the 2015-2019 successor CBA to discuss those recommendations with the Union prior to implementing a language program.

NOW, THEREFORE, the Council directs:

- a. The Agreement between the City on behalf of the PHB and the Union attached hereto as Exhibit A is ratified by this Council.
- b. The 2015-2019 successor CBA shall conform to a form similar to the Agreement attached as Exhibit A.
- c. The Mayor, the Human Resources Director and the City Auditor shall be authorized to execute the 2015-2019 successor CBA with approval as to form by the assigned City Attorney.
- d. The City is authorized to pay for any City cost increases associated with the 2015-2019 successor CBA for fiscal year 2015-16 through fiscal year 2018-19 from the General Fund, and other City funds as may be available.
- e. 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 provisions of the Agreement; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council: JUL 29 2015

Mayor Charlie Hales
Prepared by: Anna Kanwit:SS
Date Prepared: June 30, 2015

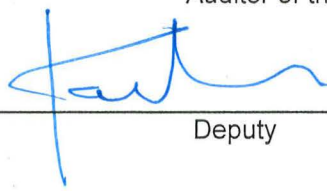
Mary Hull Caballero
Auditor of the City of Portland

By



Deputy

*Ratify a successor collective bargaining agreement between the City and Oregon AFSCME Council 75 Local 189-3 relating to the terms and conditions of employment of represented employees at the Portland Housing Bureau for 2015-2019 (Ordinance)

<p>INTRODUCED BY Commissioner/Auditor: Mayor Charlie Hales</p>	<p>CLERK USE: DATE FILED <u>JUL 24 2015</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Hales <i>JAH</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>Mary Hull Cabellero Auditor of the City of Portland</p> <p>By:  Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau: Bureau of Human Resources <i>Fred Miller</i></p> <p>OMF CAO: Fred Miller <i>Anna Kanwit by B/Phys</i></p> <p>Bureau Head: Anna Kanwit</p> <p>Prepared by: AK:SS Date Prepared: June 30, 2015</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: Derily Bechthold, Deputy City Attorney required for contract, code, easement, franchise, comp plan, charter <i>10/17/15</i></p> <p>Council Meeting Date: July 15, 2015</p>	
<p>ACTION TAKEN:</p>	

AGENDA
<p>TIME CERTAIN <input checked="" type="checkbox"/></p> <p>Start time: <u>10:30 a.m.</u></p> <p>Total amount of time needed: <u>15 minutes</u> (for presentation, testimony and discussion)</p>
<p>CONSENT <input checked="" type="checkbox"/></p>
<p>REGULAR <input checked="" type="checkbox"/></p> <p>Total amount of time needed: <u>15 min</u> (for presentation, testimony and discussion)</p>

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