

IMPACT STATEMENT

Legislation title: *Ratify a Settlement Agreement between the City on behalf of the Portland Water Bureau, American Federation of State, County, and Municipal Employees, Local 189 and Operating Engineers Local 701 regarding premium pay for working underground or in a shored excavation (Ordinance)

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Presenter name: Patrick Ward, Labor Relations Coordinator

Purpose of proposed legislation and background information:

The purpose of this ordinance is to ratify the Agreement between the City on behalf of the PWB, AFSCME and Local 701 that settles grievances filed on behalf of bargaining unit members who were not paid the underground premium between the dates of November 13, 2010 and August 12, 2015. The Agreement also settles when bargaining unit members who are in classifications covered by the 2013-2017 CBA will be paid the underground premium going forward, effective August 13, 2015. The Agreement, Exhibit A, is attached hereto and incorporated herein by this reference.

Upon ratification of the Agreement by City Council, AFSCME and Local 701 will withdraw the grievances with prejudice.

Financial and budgetary impacts:

Upon ratification by City Council, all bargaining unit employees at the PWB who work in classifications covered by the CBA will be paid the underground premium of 80 cents per hour for a minimum of four hours when: (1) they work in a vault; (2) the vault is under the ground; (3) the vault is a confined space as defined by Oregon OSHA; (4) the employee has completed (4) the employee has completed a confined space entry form or permit-required space entry form as required by the PWB standard operating procedures; and (5) the employee has added the premium to his/her timesheet. Based on the payroll file for fiscal year 2014-15, applying the premium rate of 80 cents per hour for the underground premium will have a minimal fiscal impact on PWB's personal services. The fiscal impact is estimated to be less than \$1,000 per year.

Upon ratification, the PWB will also retroactively pay the underground premium to eligible employees for the period of November 13, 2010 through the pay period ending August 12, 2015. To be eligible for the back pay, an employee must be a current employee in a classification that is covered by the 2013-2017 CBA and must meet all of the requirements outlined in the previous paragraph. The retroactive five-year fiscal impact is estimated at \$9,131, which is within the PWB current service level budget. There is no fiscal impact to the General Fund.

Community impacts and community involvement:

There was no community involvement. This action is largely internal to City government processes.

Budgetary Impact Worksheet**Does this action change appropriations?**

- ☐ **YES:** Please complete the information below.
- ☒ **NO:** Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount