

ORDINANCE No. 187406

*Ratify a successor collective bargaining agreement between the City and the Portland Police Commanding Officers Association relating to the terms and conditions of employment of Police Lieutenants for 2015-2018 (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The City on behalf of the Portland Police Bureau (PPB) and the Portland Police Commanding Officers Association (PPCOA) are parties to a collective bargaining agreement effective July 1, 2013 to June 30, 2015 (the 2013-2015 CBA).
2. The PPCOA 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 PPB in the classification of Police Lieutenant as listed in Schedule "A" of the 2013-2015 CBA.
3. On April 3, 2015, pursuant to the City's obligations under ORS 243.650 *et seq.*, representatives of the City entered into negotiations with the PPCOA for a successor agreement to the 2013-2015 CBA.
4. On September 21, 2015, representatives of the City and the PPCOA signed a Tentative Agreement, Exhibit A (the Agreement) attached hereto and incorporated by this reference, that outlines the terms and conditions of employment for Police Lieutenants at the PPB for the period of July 1, 2015 through June 30, 2018 (the 2015-2018 successor CBA).
5. The PPCOA ratified the Agreement on October 7, 2015.
6. The Agreement meets the City's bargaining interests by securing a three-year collective bargaining agreement and agreeing to wage increases, health benefits, and other terms and conditions of employment.
7. Prior to reaching the Agreement, the City was required to give 48 hours' advance notice before an initial IAD or EEO investigation interview of a bargaining unit member, provided that the delay did not jeopardize the successful accomplishment of the investigation or criminal culpability was not at issue. Effective on ratification by City Council, the City will no longer be required to give 48 hours' advance notice when conducting investigatory interviews of bargaining unit members.
8. The Agreement also changes the number of hours a Police Lieutenant may be absent under the Partial Day Absence policy from a maximum of half of a bargaining unit member's shift hours to a maximum of two hours.

9. 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.
10. Upon ratification by City Council, salary rates for Police Lieutenants 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 with the 2.1 percent added will be retroactive to October 7, 2015, the date the PPCOA ratified the Agreement.
11. Salary rates for Year 2 (2016-2017) and Year 3 (2017-2018) of the Agreement 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 and 2017-2018 be less than one percent or greater than five percent.
12. The City has agreed to continue providing a Professional Development Fund in the amount of \$30,000 per fiscal year. As an incentive for bargaining unit members to obtain advanced degrees, a minimum of 40 percent of the \$30,000 annual amount is to be allocated toward education costs for pre-approved college credit toward a degree program, earned at an accredited college or university. The remaining 60 percent of the \$30,000 is to be allocated toward job-related professional development seminars, classes and conferences.
13. As an additional incentive for bargaining unit members to obtain advanced degrees, effective October 7, 2015, Police Lieutenants who hold a bachelor's degree from an accredited college or university will receive a premium of two percent Top Step Lieutenant wage paid in equal installments each pay period, as an Education Premium. Police Lieutenants who hold a master's or doctoral degree from an accredited college or university shall receive a three percent Education Premium effective October 7, 2015.
14. Effective in Year 2 of the Agreement, Police Lieutenants will receive a two percent across-the-board wage increase.
15. Effective in Year 3 of the Agreement, Police Lieutenants who reside within the Portland city limits will receive a five percent premium added to their base wage, paid in equal installments each pay period.
16. 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.

17. 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.
18. 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.
19. 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.
20. 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.
21. 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.
22. 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.

NOW, THEREFORE, the Council directs:

- a. The Agreement between the City on behalf of the PPB and the PPCOA attached hereto as Exhibit A is ratified by this Council.
- b. The 2015-2018 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 2015-2018 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 2015-2018 successor CBA for fiscal year 2015-16 through fiscal year 2017-18 from the General Fund.
- 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: OCT 28 2015

Mayor Charlie Hales
Prepared by: Anna Kanwit:MW:ss
Date Prepared: October 13, 2015

Mary Hull Caballero
Auditor of the City of Portland
By


Deputy

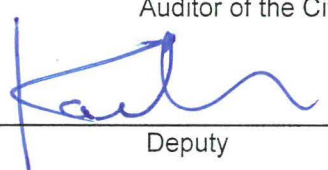
Agenda No.

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Title

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INTRODUCED BY Commissioner/Auditor: Mayor Charlie Hales	CLERK USE: DATE FILED <u>OCT 23 2015</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Hales Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Novick	Mary Hull Cabellero Auditor of the City of Portland By:  Deputy
BUREAU APPROVAL Bureau: Bureau of Human Resources OMF CAO: Fred Miller Bureau Head: Anna Kanwit Prepared by: AK:MW:ss Date Prepared: October 13, 2015 Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> City Auditor Office Approval: required for Code Ordinances City Attorney Approval: Mark Amberg, Chief Deputy City Attorney required for contract, code, easement, franchise, comp plan, charter Council Meeting Date: October 28, 2015	ACTION TAKEN:

AGENDA TIME CERTAIN <input checked="" type="checkbox"/> Start time: <u>10:45 a.m.</u> Total amount of time needed: <u>15 minutes</u> (for presentation, testimony and discussion)
CONSENT <input checked="" type="checkbox"/>
REGULAR <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)

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	✓	