

ORDINANCE No. 187563

*Authorize settlement between Oregon AFSCME, Local 189, and the City of Portland through its Portland Police Bureau regarding employment claims (Ordinance).

The City of Portland ordains:

Section 1. The Council finds:

1. The Portland Police Bureau (PPB) terminated employee Shelley Maier on July 18, 2014. Oregon AFSCME, Local 189 ("AFSCME") grieved the termination. The City denied the grievance and AFSCME advanced the grievance to arbitration.
2. The parties now desire to compromise and settle the grievance. A copy of the proposed settlement is attached to this ordinance as Exhibit "A."
3. As part of the proposed settlement of the grievance, the City shall pay Shelley Maier an amount equal to six (6) months' back pay at her rate of pay in effect at the time of her termination in the gross amount of \$24,221.60 less all applicable withholdings and deductions.
4. The City and AFSCME shall equally split the arbitrator's cancellation fee.
5. AFSCME withdraws the grievance with prejudice.
6. PPB and the City Attorney's Office recommend acceptance of the proposed settlement.
7. Per PCC 3.15.050, the Director of the Bureau of Human Resources has reviewed and approved the proposed settlement.

NOW, THEREFORE, the Council directs:

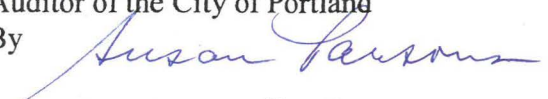
- a. The Mayor and the Auditor are hereby authorized to draw and deliver a payroll check made payable to Shelley Maier in the gross amount of \$24,221.60, less all applicable withholdings and deductions.
- b. PPB will execute a payment authorization in the amount set forth in subparagraph (a) above.

Section 2. The Council declares that an emergency exists in order to avoid undue and costly delay in settling this claim; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council: JAN 27 2016

Commissioner: Mayor Charlie Hales
Prepared by: Mark Amberg, Chief Deputy Attorney
Date Prepared: December 9, 2015

Mary Hull Caballero
Auditor of the City of Portland
By


Deputy

1343-88

Agenda No.
ORDINANCE NO.
Title

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INTRODUCED BY Commissioner/Auditor:	CLERK USE: DATE FILED <u>DEC 22 2015</u>
COMMISSIONER APPROVAL <i>[Signature]</i> Mayor—Finance and Administration <i>[Signature]</i>	Mary Hull Caballero Auditor of the City of Portland
Position 1/Utilities - Fritz	By: <i>[Signature]</i> Deputy
Position 2/Works - Fish	
Position 3/Affairs - Saltzman	
Position 4/Safety - Novick	
BUREAU APPROVAL Bureau: Police Bureau Bureau Head: Lawrence P. O'Dea III	ACTION TAKEN: DEC 30 2015 REFERRED TO COMMISSIONER OF FINANCE AND ADMINISTRATION
Prepared by: Mark Amberg Date Prepared: December 9, 2015	
Financial Impact Statement & 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 type="checkbox"/> No <input checked="" type="checkbox"/>	
City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>[Signature]</i>	
Council Meeting Date December 30, 2015	

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