

SETTLEMENT AGREEMENT

This Settlement Agreement is entered into between the City of Portland ("City") and Oregon AFSCME, Local 189 ("Union" or "AFSCME").

BACKGROUND

- A. On or about July 22, 2014, AFSCME, on behalf of Shelley Maier ("Maier"), filed a grievance ("grievance") against the City for a claimed violation of Article 34 – Discipline and Discharge- of the DCTU collective bargaining agreement for allegedly terminating Maier without just cause.
- B. The City denied the grievance and the Union advanced the grievance to arbitration.
- C. The parties agree to resolve the grievance, without going to hearing, on the terms set forth below.

AGREEMENT

- 1. The City shall pay Maier six (6) months' back pay at her rate of pay that was in effect at the time of her termination.
- 2. The City will provide Maier with a neutral reference to future employers. Unless the City is otherwise provided with a written release and consent to provide other information from Maier that is in a form acceptable to the City, the only information the City will provide for reference checks regarding Maier's employment will be dates of employment, positions held and salary history.
- 3. The City and Union shall equally split the arbitrator's cancellation fee.
- 4. The Union withdraws the grievance with prejudice.
- 5. This Agreement is not to be construed as an admission of fault or liability by the City.
- 6. This Agreement sets no precedent beyond the resolution of this particular grievance on the terms set forth herein.
- 7. The agreement is subject to City Council approval because the agreement has a value of more than \$5000.
- 8. This Agreement constitutes the full and final settlement and resolution of the grievance and any and all issues raised or which could have been raised in the grievance and supersedes any and all discussions and negotiations between the parties, whether written or oral, regarding the grievance which are not set forth in this Agreement.

For the City:

[Signature]
 Anna Kanwit, Director
 Bureau of Human Resources

Date

1-25-16

[Signature]
 Lawrence P. O'Dea III
 Chief, Portland Police Bureau

Date

1/25/16

Approved as to Form.

[Signature]
 Mark P. Amberg,
 Chief Deputy City Attorney

Date

1/20/16

For the Union:

[Signature]
 Rob Wheaton, AFSCME
 Council Representative

Date

Shirley Mace 1-12-16
[Signature]

[Signature]
 Jennifer Chapman
 Legal Counsel,
 Oregon AFSCME Council 75

Date

1-19-16