

ORDINANCE NO.

Ratify a successor collective bargaining agreement between the City and the Portland Police Association relating to the terms and conditions of employment of represented employees in the Portland Police Association bargaining unit (Ordinance)

The City of Portland ordains:

Section 1. The Council Finds:

1. The City and the Portland Police Association (PPA) are parties to a collective bargaining agreement (CBA) effective July 1, 2013 to June 30, 2017.
2. The PPA is the sole and exclusive bargaining agent for all sworn personnel at the Portland Police Bureau in classifications set forth in Schedule A of the CBA.
3. In the spring of 2016, pursuant to the City's obligations under ORS 243.650 *et seq.*, representatives of the City entered into negotiations for a successor CBA with the PPA.
4. On September 12, 2016, representatives of the City and the PPA signed a Tentative Agreement (Agreement), Exhibit 1 attached hereto and incorporated herein by this reference, that outlines the terms and conditions of employment for represented employees in the PPA bargaining unit for the period beginning upon ratification and lasting until June 30, 2020 (the 2016-2020 CBA).
5. As of the date this ordinance is submitted, the Agreement has been submitted to the PPA membership for the PPA ratification process but the results of that ratification process are not known as of the date this ordinance is submitted.
6. The Agreement meets the City's bargaining interests by securing a labor agreement with the PPA through June 30, 2020, and agreeing to wage increases, recruitment and retention incentives, elimination of the so-called "48-hour" rule as of January 1, 2017, a conceptual draft body worn camera policy and other terms and conditions of employment.
7. The Agreement resolves twelve grievances as listed in the Agreement.
8. 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.
9. The City of Portland recognizes that certain incentives related to salary, expenses, and benefits may assist the City in recruitment and retention of qualified police officer candidates and current police officers. Toward this end, the City is adopting the

following incentive programs for the intended purpose of assisting the City to attract and retain qualified police officers:

- a) Upon ratification, the City will implement a new incentive program to provide officers with bonuses upon completion of each of the following events: swear-in, end of probation, and three years of service with the City, as provided in the Labor Agreement between the Portland Police Association and the City (Exhibit A to Exhibit 1, Art. 65.1.5). Unless extended by agreement of the parties, this hiring incentive program will expire on June 30, 2020.
- b) Upon ratification, the City will implement a retire-rehire program in which a sworn employee who retired on or after April 1, 2016 may be rehired for a limited term by the Police Bureau as a sworn employee after retiring from the Police Bureau. Participation in this program will require, among other conditions, 30 days' written notice, no break in service, and permission of the Chief of Police. Participation is subject to the terms and conditions provided in the Labor Agreement between the Portland Police Association and the City (Exhibit A to Exhibit 1, Art. 65.4).
- c) Upon ratification, the City will amend pay rates for Police Officers as follows: the "Entry Rate" tier will be abolished, and the "After 6 Months" tier will become the new entry rate. Any member not at the six month pay step upon ratification will be moved to that step.
- d) For each of the next three years, on January 1, 2017, January 1, 2018, and January 1, 2019, a new top pay step will be added for all classifications (Officer, Sergeant, Criminalist, and Detective) at an additional 3% pay as provided in the Labor Agreement between the Portland Police Association and the City (Exhibit A to Exhibit 1, Schedule A).
- e) For each of the next three years, on July 1, 2017, July 1, 2018, and July 1, 2019, members will receive 100% of the CPI as detailed in the Labor Agreement between the Portland Police Association and the City of Portland (Exhibit A to Exhibit 1, Schedule A). However, they will not receive less than 1% or more than 5%.
- f) The fiscal impacts of these incentives are estimated to be approximately \$3.3 million in FY 2017-18, \$2 million in FY 2018-19, and \$1.3 million in FY 2019-20 for a total ongoing increase of \$6.6 million. These amounts are in FY 2016-17 dollars and do not include any future cost of living adjustments for FY 2017-18 and beyond. Future COLAs will be funded from salary adjustment contingency.
- g) Upon ratification, a 12-month probationary period rather than the current 18-month probationary period will be added for lateral police officers who are currently employed as full-time law enforcement officers with at least three years

of law enforcement experience. The Chief of Police may extend the probation for an additional six months.

- h) Upon ratification, PPA members will be eligible to receive monetary incentives to recruit both new officers and lateral police officers. New police officers and lateral police officers who are members of PPA will be eligible to receive monetary incentives to join and remain with the PPB. Eligibility criteria will be developed by the Personnel Manager with input from the PPA, and final approval with the Chief of Police. Unless extended by agreement of the parties, this hiring incentive program will expire on June 30, 2020.
 - i) The PPB and PPA will meet to discuss the feasibility of implementing a Community Service Officer program within PPB, with the CSO's to be included in the PPA bargaining unit.
 - j) The PPB and PPA will also meet to discuss the feasibility of implementing a student loan reimbursement program for new hires in PPB.
10. Beginning in plan year 2017, the City medical and dental plans will become self-insured. The PPA Health Operating Fund will be established to pay claims and other costs associated with administration of all active, retiree, COBRA, and other continuation participant programs. This fund will be maintained separately from the City's Health Operating Fund, and benefit levels will not be affected by this change.
11. Following substantial public and internal input, the Portland Police Association and the Portland Police Bureau have agreed to a draft Body-Worn Camera Policy Version 2.2, dated 5/6/16 (attached as Exhibit B to Exhibit 1). Substantial additional public input will be required prior to finalization of the policy.
12. The terms and conditions of the Agreement shall be reduced to a successor collective bargaining agreement and shall conform substantially to a form similar to Exhibit A to Exhibit 1 (the 2016-2020 CBA).
13. The Mayor, the Human Resources Director, the Chief of Police and the City Auditor shall be authorized to execute the 2016-2020 CBA with approval as to form by the assigned Senior Deputy City Attorney.

NOW, THEREFORE, the Council directs:

- a. The Agreement between the City on behalf of the PPB and the PPA attached hereto as Exhibit 1 is ratified by this Council.
- b. The 2016-2020 successor CBA shall be in a form similar to the Agreement attached as Exhibit A to Exhibit 1.
- c. The Mayor, the Human Resources Director, the Chief of Police and the City Auditor are authorized to execute the 2016-2020 successor CBA between the City and the PPA relating to the terms and conditions of employment for represented employees in the PPA bargaining unit for the period of ratification to June 30, 2020, with approval as to form by the assigned City Attorney.
- d. Council directs the City Budget Office to increase the Current Appropriation Level target of the Portland Police Bureau by 3.3 million in Fiscal Year 2017-18, 2 million in Fiscal Year 2018-19 and 1.3 million in Fiscal Year 2019-20.
- e. Council directs the Police Bureau to convene a stakeholder committee to review the draft Body Worn Camera Policy Version 2.2 and national best practices as they continue to evolve. Additionally, the public will be given the opportunity for universal review and to provide public comments through Bureau's established directives process. A report will be presented to Council by the stakeholder committee and will be subject to further public input, potential amendments and Council approval at that time.
- f. This ordinance is binding City policy.

Passed by the Council:

OCT 12 2016

Mayor Charlie Hales
Prepared by: Anna Kanwit
Date Prepared: September 20, 2016

MARY HULL CABALLERO

Auditor of the City of Portland

By



Deputy

Ratify a successor collective bargaining agreement between the City and the Portland Police Association relating to the terms and conditions of employment of represented employees in the Portland Police Association bargaining unit as detailed in Exhibits A and B, (Ordinance)

INTRODUCED BY Commissioner/Auditor: Mayor Charlie Hales	CLERK USE: DATE FILED <u>SEP 20 2016</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration <i>Hales</i> 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: <i>[Signature]</i> Deputy ACTION TAKEN: SEP 28 2016 CONTINUED TO OCT 05 2016 OCT 06 2016 PASSED TO SECOND READING <i>As Amended</i> OCT 12 2016 9:30 A.M.
BUREAU APPROVAL Bureau: Bureau of Human Resources OMF CAO: Fred Miller <i>red hills by AK</i> Bureau Head: Anna Kanwit <i>A</i> Prepared by: AK: JG: ss Date Prepared: September 19, 2016 <i>JG</i> 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 <i>[Signature]</i> Council Meeting Date: September 28, 2016	

AGENDA
TIME CERTAIN <input checked="" type="checkbox"/> Start time: <u>9:45</u> Total amount of time needed: <u>20 minutes</u> <i>1 hr per Rachael</i> (for presentation, testimony and discussion)
CONSENT <input type="checkbox"/>
REGULAR Total amount of time needed: _____ (for presentation, testimony and discussion)

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