



[Home](#) / [Council Documents](#)

191141

Emergency Ordinance

*Ratify a collective bargaining agreement with American Federation of State, County, Municipal Employees, Local 189 for represented employees within the Office of Independent Police Review for 2022 - 2025

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. The City and American Federation of State, County, Municipal Employees (AFSCME) Local 189 established a new bargaining unit representing the employees within the Office of Independent Police Review.
2. On or about March 14, 2022, pursuant to the City's obligations under ORS 243.650 et seq., representatives of the City entered negotiations to establish the first collective bargaining agreement (CBA) for these newly represented employees.
3. On September 20, 2022 and again on January 9, 2023, representatives from the City and AFSCME Local 189 signed a Tentative Agreement (Agreement), Exhibit A attached hereto and incorporated herein by this reference, regarding the terms and conditions of employment with AFSCME Local 189 represented employees within the Office of Independent Police Review (IPR) for the period beginning July 1, 2022 and lasting until June 30, 2025 (the 2022-2025 CBA).
4. The Agreement meets the City's bargaining interests by securing a labor agreement with AFSCME Local 189 through June 30, 2025 and setting wages and other terms and conditions of employment.
5. This CBA establishes the wage scales for classifications within IPR to include Investigator I, Investigator II, IPR Data Analyst II, and Administrative Specialist II. Wages under the wage scales and a five percent (5%) cost of living adjustment (COLA) for Fiscal Year 22-23 are effective July 1, 2022.
6. Employees in AFSCME Local 189 within the IPR will thereafter receive cost of living increases effective July 1, 2023, and July 1, 2024, which will be tied to the CPI-W West - Size Class A with a minimum increase of one percent (1%) and a maximum increase of five percent (5%).

Introduced by

[Mayor Ted Wheeler](#)

Bureau

[Human Resources](#); [Management and Finance](#)

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Requested Agenda Type

Regular

Date and Time Information

<p>Requested Council Date January 18, 2023</p> <p>Time Requested 15 minutes</p>

Portland Policy Document

7. To address retention within IPR and to ensure ongoing compliance with the settlement agreement between the City and the United States, the CBA provides for these represented employees to receive a \$3,000 bonus at the end of each full year of service within IPR, except in the last year of the CBA when it will increase \$3,500 at the end of the year of service for a full year of service, or prorated in the final year of the contract if IPR work transitions to the Community Police Oversight Board sooner.
8. The additional, and complete terms and conditions of the Agreement shall be reduced to an initial collective bargaining agreement and shall conform substantially to a form similar to Exhibit A (the 2022-2025 CBA).

NOW, THEREFORE, the Council directs:

- A. The Agreement between the City and AFSCME Local 189 attached hereto as Exhibit A is ratified by this Council.
- B. The Mayor, the Chief Human Resources Officer, and the City Auditor are authorized to execute the 2022-2025 initial CBA between the City and AFSCME Local 189 relating to the terms and conditions of employment with AFSCME Local 189 represented employees in the Office of Independent Police Review for the period of July 1, 2022 to June 30, 2025, with approval as to form by the assigned City Attorney.
- C. 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 initial CBA; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Documents and Exhibits

 [Exhibit A](#) 907.91 KB

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council
January 18, 2023

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

The purpose of this ordinance is to authorize an initial collective bargaining agreement establishing the wages and working conditions for the employees in the newly organized bargaining unit for the Office of Independent Police Review.

Financial and Budgetary Impacts

A CBO fiscal analysis of proposed IPR classification rates and retentions is an estimated \$41,000 for FY 2022-2023. For FY 2024-25 costs are estimated at \$113,000, which includes retention bonuses of \$35,000 for ten impacted employees and \$78,000 for changing the classification rates. Please note that the fiscal impact of changing the classification rates is estimated to increase to \$99,000 in FY 2025-26 (one year after the contract has ended).

Community Impacts and Community Involvement

Not applicable.

100% Renewable Goal

Not applicable.

Budget Office Financial Impact Analysis

This agreement includes both one-time and ongoing costs over the next four years. Current Year (FY 2022-23) costs total \$40,615 which should be appropriated out of current year one-time General Fund contingency resources. Additional one-time costs in the amount of \$30,000 in FY 2023-24 and \$35,000 in FY 2024-25 are anticipated related to retention bonuses. The agreement will result in anticipated ongoing General Fund cost increases ramping up to \$99,000 in FY 2025-26. For FY 2023-24, an estimated cost increase of \$43,928 will be added to the Independent Police Review's General Fund Current Appropriation Level (CAL) target.

Agenda Items

54 Regular Agenda in [January 18-19, 2023 Council Agenda](#)

Passed

Commissioner Carmen Rubio Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Absent