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191716

Emergency Ordinance

***Authorize Letters of Agreement with Professional & Technical Employees, Local 17 to create new specialty classification of Mental Health Crisis Responder II - BHU and new standby rate for employees assigned to standby appointment with the Crisis Negotiation Team**

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. The City and the Professional & Technical Employees, Local 17 (PROTEC17) are parties to a collective bargaining agreement (CBA) effective January 1, 2022 through June 30, 2025.
2. On November 14, 2022, the City agreed to voluntarily recognize the Mental Health Crisis Responder II classification #30004125 as represented by PROTEC17.
3. Employees in the Mental Health Crisis Responder II classification assigned to the Portland Police Bureau in the Behavioral Health Unit (BHU) have distinct specialties that distinguish their work from the work performed in the Portland Street Response team in the Community Health Section of Portland Fire and Rescue. Therefore, the creation of a separate and distinct classification is warranted.
4. With the tentative Letter of Agreement attached as Exhibit A, representatives of the City and PROTEC17 wish to create a new specialty classification of Mental Health Crisis Responder II – BHU (MHCR II-BHU) and to identify the terms and conditions applicable to the MHCR II-BHU classification.
5. Mental Health Crisis Responder II – BHU will be eligible for a new Threat Assessment Case Premium Pay at the rate of two percent premium on all hours worked for completion of training and management of threat assessment cases thereafter.
6. In addition, the newly created MHCR II - BHU classification may perform work for the Crisis Negotiation Team (CNT) within PPB. The CNT requires standby coverage year-round.

Introduced by

[Mayor Ted Wheeler](#)

Bureau

[Management and Finance](#);

[Human Resources](#); [Police](#)

Contact

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Requested Agenda Type

Regular

Date and Time Information

Requested Council Date

May 15, 2024

Time Requested

10 minutes


7. The City cannot maintain desired CNT service levels with the status quo standby language in Article 19 of the PROTEC17 CBA.
8. With the tentative Letter of Agreement attached as Exhibit B, representatives of the City and PROTEC17 wish to establish specific standby pay for MHCR II - BHU employees assigned to standby appointments with the CNT at the rate 10% of the employee's regular base pay for an 8-hour workday as compensation for each day they are assigned standby duty.
9. The Letters of Agreement shall be signed by the City and PROTEC17 and shall conform substantially to a form similar to those attached as Exhibit A and Exhibit B.


NOW, THEREFORE, the Council directs:

- A. The Interim Director of the Bureau of Human Resources is authorized to enter into a Letter of Agreement between the City and PROTEC17 in a form substantially similar to the attached Exhibit A to create the new specialty classification and identify the terms of employment.
- B. The Interim Director of the Bureau of Human Resources is authorized to enter into a Letter of Agreement between the City and PROTEC17 in a form substantially similar to the attached Exhibit B to create a rate of standby pay that is specific to MHCR II - BHU employees assigned to standby appointments with the CNT.

Section 2. The Council declares that an emergency exists to avoid undue delay in creating the Mental Health Crisis Responder II - BHU specialty classification and implementing its distinct terms and conditions of employment; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

Documents and Exhibits

 [Exhibit A \(https://www.portland.gov/sites/default/files/council-documents/2024/city-agreement-mhcr-ii-ppb-bhu-_05.07.2024-.pdf\)](https://www.portland.gov/sites/default/files/council-documents/2024/city-agreement-mhcr-ii-ppb-bhu-_05.07.2024-.pdf) 122.24 KB

 [Exhibit B \(https://www.portland.gov/sites/default/files/council-documents/2024/standby-loa-mhcr-ii-ppb-bhu-_05.07.2024-.pdf\)](https://www.portland.gov/sites/default/files/council-documents/2024/standby-loa-mhcr-ii-ppb-bhu-_05.07.2024-.pdf) 99.61 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
May 15, 2024

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 the Interim Director of the Bureau of Human Resources to enter into two Letters of Agreement between the City and the Professional & Technical Employees, Local 17, creating a new specialty classification of Mental Health Crisis Responder II - BHU (MHCR II - BHU) and creating a new standby rate for MHCR II - BHU employees assigned to standby appointments with the Crisis Negotiation Team.

Financial and Budgetary Impacts

The net fiscal impact in FY 2023-24 is estimated to be a \$22,000, which includes \$11,000 in standby pay and \$11,000 in premiums. For FY 2024-25, in addition to the standard cost-of-living allowances (COLA), the cost is estimated to be a \$69,000, which includes \$54,000 in standby pay and \$15,000 in premiums. The cost will be absorbed by the Portland Police Bureau's annual operational budget.

As required by City charter, an amount equal to 5% of the Portland Police Bureau's annual operational budget must be allocated from the General Fund to fund the Police Oversight Board. Because the cost of this agreement will be absorbed by the bureau's budget, there is no additional allocation to the Police Oversight Board as a result of this agreement.

Community Impacts and Community Involvement

There was no community involvement. This action is largely internal to City government processes.

100% Renewable Goal

Not applicable.

Budget Office Financial Impact Analysis

The Portland Police Bureau does not have budget capacity to absorb additional costs in the current fiscal year.

Labor relations estimates that this change will create \$22,000 of additional costs for the Portland Police Bureau in the current year. PPB does not have flexibility in the current year to absorb any new costs as they are currently projecting spending over budget by the end of the fiscal year.

Anticipated over-spending will need to be addressed by Council through the over-expenditure ordinance.

Agenda Items

383 Regular Agenda in [May 15-16, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/5/15)
(<https://www.portland.gov/council/agenda/2024/5/15>)

Passed

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea