

**Letter of Agreement
(Deanna Hattan Lateral Transfer)**

The parties to this Letter of Agreement (LOA) are the City of Portland (City), on behalf of the Bureau of Development Services (BDS) and the Bureau of Fire and Police Disability & Retirement Fund (FPD&R) and the American Federation of State, County and Municipal Employees Local, 189 (AFSCME) on behalf of Deanna Hattan (the Employee).

Background

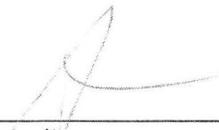
- A. The City and the District Council of Trade Unions (DCTU), of which AFSCME is a signatory member union, are parties to a Collective Bargaining Agreement (CBA) effective July 1, 2013 to June 30, 2017.
- B. AFSCME is the sole collective bargaining representative on behalf of employees working in the Office Support Specialist II classification (Job Classification No. 30000012) (OSS II) listed in Schedule "A" of the CBA.
- C. Under Article 12.3.2 of the CBA, employees may request a lateral transfer to a vacant, budgeted position, within or between bureaus, one (1) time per calendar year, except in circumstances where the employee did not pass the 90-day evaluation period as provided for in Article 12.3.1 of the CBA.
- D. On January 5, 2015, the Employee transferred from BDS to FPD&R to a vacant, budgeted position in the OSS II classification pursuant to Article 12.3.2 of the CBA. The Employee passed the 90-day evaluation period that applies to lateral transfers on April 5, 2015.
- E. On November 9, 2015, the Employee requested a lateral transfer back from FPD&R to BDS in the classification of OSS II.
- F. BDS has a current, vacant, budgeted position available in the OSS II classification. In order to attract and retain the most qualified, trained candidate for the position of OSS II, BDS has an interest in allowing the Employee a lateral transfer from FPD&R to BDS to fill its vacant, budgeted position.
- G. FPD&R is agreeable to the lateral transfer of the Employee to BDS. However, if the lateral transfer were to occur within one (1) calendar year as provided for in Article 12.3.2, the lateral transfer would have to occur on or after January 5, 2016. Waiting until January 2016 for the lateral transfer to occur would cause a financial hardship to FPD&R. FPD&R has requested that the lateral transfer occur effective November 19, 2015 so that it may fill its vacant, budgeted position in the OSS II classification as soon as reasonably possible.

Agreement

1. The City on behalf of BDS and FPD&R and AFSCME agree that the Employee may laterally transfer from FPD&R to BDS in the OSS II classification effective November 19, 2015.
2. Going forward, all other provisions of the CBA will be complied with.
3. This LOA is entered into because of the unique circumstances associated with this lateral transfer decision and does not establish a precedent for any other purpose.
4. This LOA is subject to approval by City Council.

For the City:

For AFSCME:

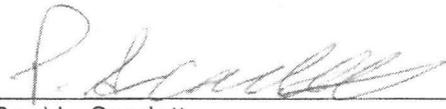


 Anna Kanwit
 Human Resources Director
 Bureau of Human Resources
 Date: 1-20-16



 Rob Wheaton
 Council Representative
 AFSCME Local, 189
 Date: 1/14/16

For BDS:



 Paul L. Scarlett
 Director
 Date: 1-12-16

For FPD&R:



 Samuel Hutchison
 Director
 Date: 1-13-16

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Approved as to form:



Lory Kraut
Senior Deputy City Attorney
Date: 15 January 2014
