

PROSPER PORTLAND

Portland, Oregon

RESOLUTION NO. 7473

AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A LETTER OF AGREEMENT BETWEEN PROSPER PORTLAND AND AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES, COUNCIL 75, LOCAL 3769 TO EXTEND THE PARTIES' COLLECTIVE BARGAINING AGREEMENT BY ONE YEAR

WHEREAS, Prosper Portland and the American Federation of State, County, and Municipal Employees ("AFSCME") are parties to a collective bargaining agreement ("CBA") that was approved by AFSCME and by the Prosper Portland Board of Commissioners ("Board") through Resolution No. 7325 on July 10, 2019, and subsequently amended through Resolution No. 7371 on May 13, 2020, and through Resolution No. 7434 on October 27, 2021, and through Resolution No. 7447 on April 20, 2022, which is in effect until June 30, 2023;

WHEREAS, due to the COVID-19 pandemic, Prosper Portland is in a period of transition, where its financial sustainability is uncertain and its workforce is adapting to a hybrid work environment;

WHEREAS, as a result of this uncertainty, Prosper Portland and AFSCME opened negotiations through expedited bargaining pursuant to the Public Employment Collective Bargaining Act ("PECBA") and Article 26 of the CBA, to extend the CBA for another year, and to wait to negotiate a new CBA until Prosper Portland's has had more time to adapt to hybrid work and to fill existing vacant staff positions;

WHEREAS, designated representatives of AFSCME and Prosper Portland management engaged in collective bargaining and reached agreement on the extension and certain measures that include amendments to portions of the CBA in the form of a Letter of Agreement, attached to this resolution as Exhibit A;

WHEREAS, represented staff have unanimously approved ratifying the Letter of Agreement amending the CBA by a vote of their union membership; and

WHEREAS, the Prosper Portland Board believes that it is in the best interest of Prosper Portland and the public to approve the Letter of Agreement, which extends the CBA for one year until June 30, 2024, and amends the CBA to increase compensation, and to address other matters that will aid in retention of existing staff within Prosper Portland's financial constraints; all other terms of the CBA will remain in effect during this extension period.

NOW, THEREFORE, BE IT RESOLVED, that the amendments to the CBA between AFSCME and Prosper Portland set forth in the Letter of Agreement attached to this resolution as Exhibit A are hereby approved;

BE IT FURTHER RESOLVED, that the Executive Director is hereby authorized to execute the Letter of Agreement for and on behalf of Prosper Portland;

BE IT FURTHER RESOLVED, that the Executive Director may approve changes to the Letter of Agreement, prior or subsequent to execution, if such changes, in the opinion of the Executive Director and in consultation with General Counsel, do not materially increase Prosper Portland's obligation or risks;

BE IT FURTHER RESOLVED, that the Executive Director is hereby authorized to provide similar or necessary provisions to non-represented employees and make any necessary changes in Prosper Portland's Personnel Policy to do so; and

BE IT FURTHER RESOLVED, that with the affirmative vote of no less than four commissioners for this resolution, this resolution shall become effective immediately upon its adoption, and otherwise it will take effect thirty days after adoption.

Adopted by the Prosper Portland Commission on December 14, 2022



Pam Feigenbutz, Recording Secretary

LETTER OF AGREEMENT

Prosper Portland (employer) and American Federation of State, County and Municipal Employees (AFSCME) Council 75, Local 3769 (union) are entering into this Letter of Agreement to set forth the parties' mutual understandings regarding extending the current Collective Bargaining Agreement (CBA) for one-year until end of FY 2023-24 with the following modifications:

1. The Letter of Agreement (LOA) is extended for one-year, starting July 1, 2023 until end of FY 2023-24 (June 30, 2024).
2. Article 35 – Wages/ Salaries
 - COLA: 4%
 - Bonus: \$4,000 (Effective: on or before April 1, 2023)
 - Bonus: \$4,000 (Effective: on or before December 1, 2023)
 - Bonus: 3.5% for staff who receive a successful performance review and are currently at Step 9 so will not receive a merit increase (Effective: on or before August 1, 2023)
3. Article 36 – Sick Leave
 - Replenish up to 40hrs – COVID Leave upon execution of this extension.
 - Employees who have exhausted, and in need of, COVID leave after June 30, 2022, may request donations (through HR) to replenish their COVID leave banks up to 40 hours for the remainder of the year. Employees wishing to donate must have at least 38 hours of COVID leave in their banks and are eligible to donate up to 16 hours of leave to fellow co-workers.
4. Article 37 – Holidays
 - Implement Holiday Week (Dec. 26 – 30, 2022 and December 26 – 29, 2023)
 - Regarding both holiday weeks (December 26 to 30, in 2022 and December 26 to 29, 2023), the office will be closed (not intended as optional), and all employees will be paid as holiday time. As such, this will require staff to complete timesheets in advance by December 20th, 2022 and December 19th, 2023. AP checks will need to be submitted and fully approved by December 20th 2022 and December 19th 2023.
5. Article 38 – Vacations

Any employee in jeopardy of losing vacation time due to exceeding their vacation hours cap at the end of 2022, shall have up to 32 hours of their vacation time that would have been lost roll over to 2023. This roll over is offered on a one-time basis and no hours will roll over to 2024. Current vacation caps will remain at 280 and 320 per the CBA.
6. Agency-wide Class/comp study
 - Negotiated class/comp study outcomes, retroactive effective as of June 1, 2023.

7. \$20 per pay period allowance for transit/parking/ hybrid work cost will be discontinued.
 - Instead, employees will be able to buy up to 4 parking passes/pay period for \$5 each.
8. All other provisions within the CBA would continue to apply during this extension.

AFSCME, Local 3769

Prosper Portland

Roger Gonzalez
President

Kimberly Branam
Executive Director



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RESOLUTION TITLE:

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Adopted by the Prosper Portland Commission on December 14, 2022

PRESENT FOR VOTE	COMMISSIONERS	VOTE		
		Yea	Nay	Abstain
<input checked="" type="checkbox"/>	Chair Gustavo J. Cruz, Jr.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Commissioner William Myers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Commissioner Peter Platt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Commissioner Sam Rodriguez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Commissioner Serena Stoudamire Wesley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Consent Agenda <input checked="" type="checkbox"/> Regular Agenda				

CERTIFICATION

The undersigned hereby certifies that:

The attached resolution is a true and correct copy of the resolution as finally adopted at a Board Meeting of the Prosper Portland Commission and as duly recorded in the official minutes of the meeting.

	Date:
	December 15, 2022
Pam Feigenbutz, Recording Secretary	