



PROSPER
PORTLAND
Building an Equitable Economy

DATE: October 27, 2021
TO: Board of Commissioners
FROM: Kimberly Branam, Executive Director
SUBJECT: Report Number 21-29

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 Amending the Parties' Collective Bargaining Agreement to Address COVID-19 Vaccine Requirements

BOARD ACTION REQUESTED AND BRIEF DESCRIPTION

Adopt Resolution No. 7434

This action by the Prosper Portland Board of Commissioners (Board) will authorize 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 (AFSCME) which was negotiated by authorized representatives of Prosper Portland and AFSCME, amending the parties' Collective Bargaining Agreement (CBA). Staff are proposing that the Prosper Portland Board authorize the Executive Director to sign the Letter Agreement, which amends the CBA by setting forth the terms for Prosper Portland to implement a mandatory COVID-19 vaccine requirement for its employees.

STRATEGIC PLAN ALIGNMENT AND OUTCOMES

Executing the Letter of Agreement will deliver on Prosper Portland's Strategic Plan goal of advancing equity by taking action to protect staff and the community against spread of COVID-19.

BACKGROUND AND CONTEXT

On May 1, 2007, in a vote conducted by the State of Oregon Employment Relations Board, eligible Prosper Portland employees elected to be represented by AFSCME. Successor CBAs were reached and approved by the Prosper Portland Board through Resolution No. 6899 on July 27, 2011; through Resolution No. 7021 on August 20, 2013; through Resolution No. 7186 on June 8, 2016; through Resolution No. 7325 on July 10, 2019; and through Resolution No. 7371 on May 13, 2020.

COVID-19 vaccinations have proven effective to minimize the transmission of this disease and the loss of life due to this deadly pandemic. To ensure Prosper Portland employees are vaccinated, Prosper Portland management and AFSCME reopened negotiations through expedited bargaining pursuant to the Public Employment Collective Bargaining Act and Article 26 of the CBA to discuss a vaccination requirement for Prosper Portland's workforce.

After negotiations, Prosper Portland management and AFSCME have reached the terms articulated in the Letter of Agreement. Represented employees voted and approved the Letter of Agreement that is now being submitted to the Prosper Portland Board for approval.

The primary terms of the Letter of Agreement are:

1. All represented and non-represented employees are required to be fully vaccinated by November 1, 2021.
2. All employees hired on or after October 1, 2021 are required to be fully vaccinated by their first day of work.
3. Employees may request an exception or exemption from being vaccinated based on medical reasons or religious beliefs.
4. All employees fully vaccinated by November 1, 2021, will receive an incentive of fifty dollars (\$50.00).
5. All employees fully vaccinated by November 1, 2021, will receive forty (40) hours of sick leave to be used specifically for COVID-19 related issues affecting themselves or immediate family members.

EQUITY IMPACT

Executing the Letter of Agreement allows Prosper Portland to protect its employees and help minimize the spread of COVID-19, which has had a disproportionate impact on marginalized communities.

COMMUNITY PARTICIPATION AND FEEDBACK

There was no formal public participation related to this action.

BUDGET AND FINANCIAL INFORMATION

While executing the Letter of Agreement and the \$50 incentive will increase the agency's payroll, the financial impacts are minimal and accounted for in the adopted budget.

RISK ASSESSMENT

The Prosper Portland Board could choose to not approve the Letter of Agreement or request modifications, in which case Prosper Portland management and AFSCME would recommence negotiations.

ATTACHMENTS

None.