

Seasonal Maintenance Workers -
Successor Agreement Bargaining

12/14/07

Package Tentative Agreement:

1. Article 26 - Clothing Allowance: As TAd 09/07/07.
2. New Article - Medical Insurance: As proposed by City 12/14/07,
with date correction.
3. Article 1 - Recognition: As proposed by City 12/6/07.
4. Schedule "A": As proposed by City 12/6/07, with date correction.
5. Duration of agreement: July 1, 2007 to June 30, 2011.
6. Retroactivity of wages: July 1, 2007, for all employees
employed by the City on date of adoption of ordinance
by City Council.
7. Current language on all other Articles of the
parties' expired collective bargaining agreement.

TAd 12/14/07
John S. H.

TAd 12-14-07
Richard Beethle

MEDICAL INSURANCE

Eligibility

- 1) A Seasonal Maintenance Worker shall be eligible for the City of Portland's Seasonal Maintenance Worker Medical Benefit Plan if the employee worked as Seasonal Maintenance Worker during the prior calendar year.
- 2) Benefits will begin the first of the month after a Seasonal Maintenance Worker:
 - 2.1) Satisfies an eligibility waiting period consisting of eighty (80) paid hours in a month after re-employment (excluding hours paid in a third pay period in a month), and
 - 2.2) Has been paid at least 80 hours in the next month (excluding hours paid in a third pay period in a month).
 - 2.3) Seasonal Maintenance Workers' hours paid before May 1, 2008, will not be counted toward satisfying 2.1 and 2.2 above.
- 3) A Seasonal Maintenance Worker will automatically be enrolled in Medical Benefit Plan single (1) party coverage when the eligibility requirements in 2.1 and 2.2 are met.
 - 3.1) The employee may enroll eligible family members within 30 days after the employee's initial enrollment. Medical Benefit Plan coverage for eligible family members will be retroactive to date when the employee became eligible for coverage. The employee's additional required Medical Benefit Plan contribution will be withheld from the employee's next paycheck after the enrollment documentation is completed.
 - 3.2) For purposes of this agreement, eligible domestic partners are included as family members.
 - 3.3) City required documentation must be provided before eligible family members will be enrolled.
- 4) In order to continue eligibility for the Medical Benefit Plan, a Seasonal Maintenance Worker must have been paid at least 80 hours in the prior month (excluding hours paid in a third payroll period).
- 5) When a Seasonal Maintenance Worker ends employment, coverage will not be extended for an additional month if the employee's final paycheck is insufficient to cover the required Medical Benefit Plan contribution.
- 6) Seasonal Maintenance Workers will not be eligible for reemployment in a subsequent year if the worker has not paid all past due Medical Benefit Plan contributions.

City/Employee Contributions

The City shall contribute for each eligible Seasonal Maintenance Worker ninety percent (90%) of the total Seasonal Maintenance Worker Medical Benefit Plan rates adopted by the City Council

for the one party, two party, or family enrollees (whichever applies). Such contributions will be made for employees eligible for the Medical Benefit Plan after May 1, 2008, through June 30, 2010.

Each eligible employee shall contribute ten percent (10%) of the total Seasonal Maintenance Worker Medical Benefit Plan rates adopted by the City Council rates for the one party, two party, or family enrollees (whichever applies). The portion of the Medical Benefit Plan costs paid by Seasonal Maintenance Workers shall be paid through a monthly pre-tax payroll deduction as allowed under state and federal tax code provisions.

Employee Opt Out

For the term of this Agreement, a Seasonal Maintenance Worker eligible for the Medical Benefit Plan who provides proof of alternative medical coverage may choose to opt out of the City provided Medical Benefit Plan.

Recognition

- 1.1 The City recognizes the Union as the sole collective bargaining agent for all employees in the classification of Seasonal Maintenance Worker.
- 1.2 A Seasonal Maintenance Worker may be employed for a limited duration for a maximum number of hours per calendar year as defined by the City's Human Resources Administrative Rules. Currently the maximum number of hours is ~~860~~ 1200. The parties recognize the maximum number of hours is limited by City Charter. Should the City Charter change, the parties agree to meet pursuant to ORS 243.698 to bargain over the impact of the change.
- 1.3 The City may employ Seasonal Maintenance Workers at any time of the year. ~~However, after working the maximum number of hours described above, a Seasonal Maintenance Worker must have a break in service of at least ninety (90) days before they may be reemployed.~~

SCHEDULE "A"

Salary rates for the Seasonal Maintenance Worker classification for the period July 1, 2007 to June 30, 2010 are contained in Schedule "A."

YEAR ONE - July 1, 2007 to June 30, 2008

| JCN | Title | Entry | Maximum |
|------|-----------------------------|---------|---------|
| 1205 | Seasonal Maintenance Worker | \$10.85 | \$11.93 |

These salary rates reflect an increase of two and seven-tenths percent (2.7%) over the salary rates in effect for the period of July 1, 2006 to June 30, 2007.

YEAR TWO - July 1, 2008 to June 30, 2009

The entry and maximum salary rates for July 1, 2007 to June 30, 2008 are to be increased by one hundred percent (100%) of the annual increase in the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) (as measured by the annual change in the index between 2nd Half 2006 and 2nd Half 2007) for Portland-Salem, OR-WA, published by the Bureau of Labor Statistics, U.S. Department of Labor. However, in no event shall the salary increase attributable to the CPI be less than two percent (2%) or greater than five percent (5%).

YEAR THREE - July 1, 2009 to June 30, 2010

The entry and maximum salary rates for July 1, 2008 to June 30, 2009 are to be increased by one hundred percent (100%) of the annual increase in the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) (as measured by the annual change in the index between 2nd Half 2007 and 2nd Half 2008) for Portland-Salem, OR-WA, published by the Bureau of Labor Statistics, U.S. Department of Labor. However, in no event shall the salary increase attributable to the CPI be less than two percent (2%) or greater than five percent (5%).

YEAR FOUR - July 1, 2010 to June 30, 2011

The entry and maximum salary rates for July 1, 2009 to June 30, 2010 are to be increased by one hundred percent (100%) of the annual increase in the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) (as measured by the annual change in the index between 2nd Half 2008 and 2nd Half 2009) for Portland-Salem, OR-WA, published by the Bureau of Labor Statistics, U.S. Department of Labor. However, in no event shall the salary increase attributable to the CPI be less than two percent (2%) or greater than five percent (5%).

A Seasonal Maintenance Worker who completes a season at the entry rate shall be paid at the maximum rate in any subsequent season he/she is employed as a Seasonal Maintenance Worker, provided he/she has no break in re-employment. A Seasonal Maintenance Worker who returns after a break in re-employment shall be paid at the entry rate unless the bureau director or designee authorizes the employee be paid at the maximum rate. If the break in re-employment is due to a lack of available work, the employee shall be paid at the maximum if he/she is re-employed in a subsequent season.

26. **Clothing Allowance**

Any employee who is required by the City to wear safety shoes on the job, shall be reimbursed up to ~~\$50~~ **\$120** bi-annually, provided the employee has worked at least ~~ninety (90) days~~ **two (2) weeks** that the first year. ~~Returning employees shall receive reimbursement after having worked at least thirty (30) days that year.~~ If approved by the employee's supervisor, such reimbursement may be applied to the purchase of prescription safety glasses, rain gear or insulated clothing that shall be worn on the job. Requests for reimbursement shall be limited to a thirty (30) day period following the date the employee becomes eligible for such reimbursement. **If an employee who has received the reimbursement described above terminates employment or his/her employment is terminated before completing forty-five (45) days of employment the first season, that employee shall have an amount equal to fifty percent (50%) of the reimbursement received deducted from his/her final paycheck.**

PTW
14 calendar
days

PTW
calendar

PTW
year

PTW
calendar

TA Patrick J. Ward 9/7/07

RS Seal 9-7-07