

COBEA Meeting 7/28/16

Rob opened the meeting with a breakdown of what was completed at the last meeting. He also went over the breakdown of what we will look at tonight. No ability to receive any information from the labor committee rep for police. The City is having an issue gathering the information from the local PUD from all over Oregon State. Ahjou will look at getting some of this information as he will be able to get some of the comp data. Rob will be gone on the week of the 18th and we will need to change the date of the meeting. We will look at scheduling later in the evening.

Topic: Article 11 Section 3 and 4

Speaker: Rob

Discussion: The City has removed the loser pays grievance and has now placed it as a joint payment for the grievance procedure. COBEA is wanting to know what new language is included and what the changes are. Anjou has a question about step 4-6 as they are out of order in his opinion. Per Rob, that is correct and he will make the necessary changes. They discussed all the steps and the steps are in the correct order and the language will be changed and updated. COBEA would like to know about promotional probation vs. new hire probation. Rob stated that this is discussed in Article 9 Section 3. Article 13 Section 7 has been brought up with COBEA as it states that there is a 6 month probationary period. A remedy has not been discussed as of yet. Tony has brought up the fact of the domino effect as there would always be a vacancy if the City is to use a LTD employee for the 6 month period of probation. Per Rob, there are two issues as the decision by managers cannot be grieved. New language needs to be written up to clarify what would happen if a promoted employee is unable to perform the job and is placed back with their previous position. COBEA would like to see that an employee is not terminated if their promotion does not work out. Rob feels that this should be placed into a caucus to be looked at later. This Article will be placed on a hold and look at later.

Topic: Article 12 Performance Evaluations

Speaker: Rob

Discussion: Section 1 and 2 are good and ready to complete. Section 3 has been changed to include a grievance through the City Manager rather than arbitration. Anjou feels that this is limiting the Association as they will not have an additional step and this would end up going to arbitration. COBEA has a few grievances for employees not getting a step increase. Anjou is ok with limiting evaluation to step one and two and is concerned about not being able to take this to arbitration. COBEA will take a little time and look into this article a little further. Bob had questions about a negative step increase and per Rob and Anjou there is a demotion step as part of reprimand in the contract.

Topic: Article 14 Payday

Speaker: Rob

Discussion: The City has removed the biweekly pay date information from the contract per the pushback from COBEA. Rob did state that this could come back onto the table as the City reserves the right when to pay employees. The old contract language has been kept. Anjou has a question about the contract and the Appendix A and per Rob this is something that has regular contract language. This has been TA'd.

Topic: Article 16 Layoff

Speaker: Rob

Discussion: Rob has moved language into section 1 to lay out what the layoff procedure is and how this process will be handled. Seniority is not based on classification, it is based on time with the City. Rob has moved some existing language to lay out how the departments will follow the layoff procedure. Under recall procedure, Rob has added in COBEA recommendations and kept current language. He has decided to stay at the current 12 month layoff recall timeline. The reason to keep the 12 month layoff recall timeline is to keep the contract language status quo. The firewalling on this is department wide. We are not looking at an across department bump unless someone has held the position previously and there is a position available. This arises questions about the probationary period again. This will need to be looked at again. There are also questions about the apprentices listed on the layoff as one of the first to be terminated. Both parties are agreeing to include initial probationary period as some of the first to be terminated. COBEA will TA on this if there is a change to the 18 months for recall rather than the 12 months that the City has offered. The City has talked about the proposed changes and they are coming back with 18 months' probation for the 18 months recall timeline. The City believes that a longer probationary period will guarantee better prepared employees and training. COBEA would like to know about current job offers and how those would be affected. The City feels that this will not affect the new hire process or who will apply for future job openings. COBEA has brought up the fact that a supervisor should have a checklist for new employees to complete by the end of the probationary timeline. COBEA would like to come back with a counter of 18 months for the probationary period in exchange for 18 months on recall and longevity with economics. They would like to have it retroactive to July 1. COBEA feels that their members would be happy to get something in return for the probation timeline in the form of longevity pay. The City would like to take all three off the table and come back to these at a later date. They are making an alternate offer of 18 for 18 and a six month promotional probationary period. COBEA will TA on recall and come back on everything else later. Will be left as presented and retain status quo of 12 month recall.

Topic: Article 17 Seniority

Speaker: Rob

Discussion: Rob talked about the seniority and COBEA changes in section 1 have been added. Rob has struck out classification as it is no longer being used in the layoff process. The proposal is basically what COBEA has asked for. When a tie happens, a one-time lottery will be used to determine the fates. Per COBEA there are concerns about the bumping, Rob has added the bumping to include an A-D strategy. Per Anjou this takes away the classification bumping and went over an example of how an employee may be unrepresented for 12 years and only represented for 4 of those years. How should this employee be rated when it comes to layoffs. This example was placed in front of two members and is still a hard decision to make. This article needs to be tabled and COBEA will go over this and get back to the City with an answer. COBEA has taken the lunch break to go over the article and has decided to go back to the original language which will allow people to keep their seniority since the last hire date. Will make the changes that COBEA has offered. This article can be TA'd.

Topic: Article 20 Sick Leave

Speaker: Rob

Discussion: COBEA would like to take a look at sick leave in depth a little longer and caucus on this article. The hang up on this article is the donation of sick leave from employees to a pot for emergency use. COBEA would also like to know why there is a section for excessive absenteeism in the contract, they feel that this should be in the employee handbook rather than the contract. Per Bob the donation of sick leave is not something that should be holding up the contract timeline. Brice feels that a healthy employee should be able to pass on the time that they have earned to others. Per Tony, this time is only to be donated from people that have retired or left the City. COBEA will table this for the Bargaining Committee meeting at a later date. Julie and Bob brought up the idea of this item going to the insurance committee as this would need to be a City wide program rather than an Association only program. Per Gillian, this is something that is not transferable as an insurance policy. Tony brought up the fact that his wife does not have any sick time at her employment and it falls on him to take time off when one of his children is sick. He is really interested in someone else that would be able to donate their unused time that would in the end just disappear. COBEA will take this back to their bargaining meeting and talk about it later.

Topic: Article 22 Health and Welfare

Speaker: Rob

Discussion: The change in Worker's Comp is a state mandated change. This cannot be changed other than the mechanism of how this is done. Section three now includes vision and foster children have been added as well. The donation of sick leave has been declined as vacation can be donated at this time. Per COBEA, there are people that would like to donate sick leave when they leave the City. Per the City the donation program that we have at this time is working and no one has not been able to get donated time if they are in need. This would be included as a benefit and cannot be transferable per Rob. This year per the contract employees can cash out a certain amount of their sick time. This is not something that the City will move on at this time. The significant changes are new language about disabilities and worker's comp. This article is to be TA'd unanimously.

Next session is scheduled for August 25th. We are in the Economics section of this discussion and both sides feel that they can try the first session without ERB. The City is wanting to have the market data before they try to bargain the economics portion of this negotiation. Rob would like to touch base next week to find out if there will be the data. The next meeting would be September 15th to start with the economics discussion.