

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
THE CITY OF GRESHAM  
AND  
TEAMSTERS LOCAL 223**

**Background:** The Gresham City Council has authorized a 5-year street reconstruction project to take place between approximately July 1, 2018 and June 30, 2023. The US Federal Government requires that any street reconstruction performed by a local government includes the construction, or re-construction, of ADA-compliant sidewalk ramps, which will require approximately 1,200-1,400 ramps within the City to be redone, at an estimated average of 250 per year for five years. The City has not traditionally done this amount of concrete work and does not currently employ public utility crews specializing in concrete work.

It is the desire of the City that this work be performed by city-managed employees, rather than a long-term contract with a private business, due to anticipated cost savings, easier coordination with paving and utilities contractors, and greater control over scheduling of work. The current contract between the City and Teamsters generally only allows limited term status employees (LTEs) for a duration of up to two years.

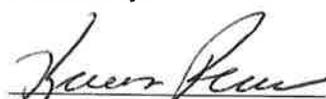
The Teamsters and the City met on November 28, 2017, at which time the parties agreed to the following:

1. The City will establish a "concrete crew" whose primary responsibilities will be the layout, installation, and finishing of ADA compliant street ramps. The concrete crew will consist of one Field Operations Supervisor, four limited term Public Utility Worker (PUW) IIs, and three Public Utility Worker Seasonal employees. The Seasonals will work only during the Transportation Division season of May 1st – October 31st of each year.
2. The Field Operations Supervisor will first be posted as an internal opportunity, among all eligible regular status DES-Operations employees. Interested employees who apply will be assessed for specific background and skills performing concrete work, knowledge of ADA standards, prior work installing ADA ramps, understanding of engineering specifications related to ADA installs and leadwork abilities. The City retains sole authority to determine the qualifications of employees to perform in this role. If, in the sole opinion of the City, there are no qualified internal candidates, this position will be posted for external recruitment. The recruitment process(es) for Field Operations Supervisor will commence upon signing of this agreement.
3. If the City decides to offer an internal City employee the limited term assignment of Field Operations Supervisor over the concrete crew:
  - o the employee will be placed in the Field Operations Supervisor LTE position and be compensated with 5% pay increase, or the minimum of the salary range for Field Operations Supervisor, whichever is greater.
  - o the employee will continue to be a regular FTE employee and will occupy the LTE assignment as the Field Operations Supervisor, which means they can be removed from the assignment without just cause or resort to Article 16 of the CBA. If the employee is removed or resigns from this limited term assignment, he or she would be placed back into the position held prior to accepting the Field Operations Supervisor assignment, assuming it still exists.
  - o the selected employee's position will be backfilled using limited term employee(s) and the employee selected for the Field Operations Supervisor assignment will retain their regular position and regular employee status while serving as the Field Operations Supervisor.
  - o the employee will receive salary increases on an annual basis on the same schedule as limited term employees in Article 18, with the first increase occurring 12 months from the date of hire into the Field Operations Supervisor LTE assignment.

Contract 6606  
2015-18 #12

- when the street reconstruction project is complete, and/or the employee is removed from the limited term Field Operations Supervisor assignment, the selected employee's salary rate will be returned to the regular rate of pay they would have held had they not received the temporary assignment.
4. If the Field Operations Supervisor position is filled externally, the selected employee will be employed as a limited term employee (LTE) with an initial LTE duration of two years.
  5. The City will post three Public Utility Worker II positions as LTE status, to be filled by external recruitment with a pre-requisite for working with concrete. One additional PUW II will be posted for an internal job development opportunity among eligible PUW IIs in the Transportation Division, to work on this specialized crew. Selection will be based on seniority if multiple qualified employees apply and are otherwise equally qualified. If no current qualified and eligible employees express interest, the position will be filled via open recruitment.
  6. Employees currently working as limited term employees may apply for regular status opportunities posted as external/open recruitments, but are not eligible for internal only or lateral transfer opportunities.
  7. Any externally hired Field Operations Supervisor and the four Public Utility Worker II positions will be designated as two-year limited term positions (LTE). The parties recognize the project may extend beyond the two years limit on LTE employment and agree to work cooperatively on terms of extension should that be necessary. Internal and/or external job postings will state the length of the positions may be extended if continuing work exists as part of the City's Street Reconstruction Project.
  8. Nothing in this MOU is intended to be an employment contract or guarantee any length of employment.
  9. This MOU represents the entire agreement between the parties. By signing below, the parties agree they are not relying on any promises or representations other than what is stated in this Agreement.

For the City:

  
 Karen Pearson, HR Director

Date: 2/1/18

For the Union:

  
 Clayton Barry, Secretary/Treasurer

Date: 2/1/18