

**In Portland****City tries to pry concessions, including OT, from workers**

By **DON McINTOSH**  
Associate Editor

Leaders of the 1,800-member District Council of Trade Unions (DCTU) say the City of Portland is trying to use tough times in the economy to extract contract concessions that have nothing to do with the city's finances. The seven-union DCTU is the city's largest union bargaining group. Its previous two-year contract expired June 30, and was extended by mutual agreement.

Other local governments, losing revenues in the recession, have gotten public employee unions to agree to one or two year wage freezes. The City is asking for the same, but is also proposing to eliminate cherished union gains like the eight-hour day and protections against contracting

out members' jobs.

DCTU spokesperson Cherry Harris said the City wants to "gut" provisions that limit privatizing members' jobs. Earlier this year, an arbitrator ordered the City to pay over \$200,000 to parking meter technicians whose work was given to outside contractors — in violation of the DCTU contract. The DCTU contract requires the City to notify a union when it's going to contract out work that would be done by members. The City must give union members a chance to bid on the work. The agreement also says the city can't contract out unless it saves money by doing so, and the savings can't come from the private sector workers getting lower pay and benefits.

Meanwhile, two City Council

members — Dan Saltzman and Amanda Fritz — have pressed for changes to union contract overtime rules, which go further than the minimum required under federal law. The federal Fair Labor Standards Act requires "time-and-a-half" pay after employees work 40 hours in a week, but some state laws and union contracts go beyond that. The DCTU contract requires overtime pay for all hours beyond eight hours in a day.

City negotiators also proposed a freeze in step pay increases, limits on union access to members, a change to comp time rules, and making members pay the full cost if their adult children stay on the employer health plan, as they will have the right to do under the new federal health care law.

"It's frustrating to have an em-

ployer that says they have an economic problem but then brings all this other crap to the [bargaining] table," said Ken Allen, executive director of Oregon AFSCME (American Federation of State, County and Municipal Employees). AFSCME Local 189, with 1,200 members, is the DCTU's largest union local.

Saltzman and Fritz have said they seek the overtime change in order to end the practice of workers taking sick leave and then working overtime to get caught up in their work. They made that argument when a smaller contract — covering 90 members of Laborers Local 483 employed in Parks & Recreation — came up for approval last month. Usually, labor agreements negotiated by the City human resources department are ratified

without debate as part of the City Council's "consent agenda." But Saltzman and Fritz raised their objections, which delayed approval of the contract.

"It made public employees look bad, like we're getting something for nothing," said Local 483 Business Manager Richard Beetle.

For City Council to reject a union contract over issues that were not raised during bargaining would be an unfair labor practice under the state's Public Employee Collective Bargaining Act, Beetle said; Council ratified the contract at its next meeting. But the City is proposing the overtime change in the DCTU bargaining still under way.

If there are concerns about sick leave abuse and excess overtime, union leaders say, managers can already address that. They can require doctors notes, and can choose not to allow overtime. Beetle said he made that point in a meeting with Fritz.

"I said 'You've overstaffed your management ranks, so you've got plenty of them, and you pay your managers good money. If you can't ask them to do something as basic as manage a 37-year-old sick leave policy, you need to look at your management and say, what are we buying here?'"

"We think you ought to staff your work areas correctly and manage your hours so that you don't have to work people overtime," Beetle said.

When the DCTU negotiations first began, the two sides used an "interest-based" bargaining framework that supposes that the parties are on the same side. That proved untenable, and bargaining reverted to the more traditional adversarial style. At that point, City negotiators proposed lots of changes to the contract, most of which union negotiators found unacceptable. As of press time, the City had backed off some of the objectionable proposals, and the two sides were trading comprehensive settlement offers.

The City has reached two-year agreements with four other bargaining units so far this year: The Laborers unit at Parks & Rec, an AFSCME unit at Bureau of Emergency Communications, and contracts with the City of Portland Professional Employees Association (COPPEA) and the Portland Fire Fighters. All those contracts contained cost-of-living freezes, but no other takeaways.

DCTU leaders say they could accept a one- or two-year halt to cost of living increases, but not the overtime and privatization changes.

The DCTU includes members of AFSCME Local 189, Laborers Local 483, International Brotherhood of Electrical Workers Local 48, Machinists Local 1005, Operating Engineers Local 701, Painters District Council 5, and Plumbers Local 290.



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