



Evelyn Minor-Lawrence
Director

DEPARTMENT OF HUMAN RESOURCES

PUBLIC SERVICES BUILDING
2051 Kaen Road | Oregon City, OR 97045

April 3, 2024

BCC Agenda Date/Item: _____

Board of County Commissioners
Acting as the Water Environment Services Board of Directors
Clackamas County

Approval of the Board Order for Implementation of the final offer for AFSCME WES for represented employees. Total value is \$96,289. Funding is through ratepayer fees; no County General Funds are involved.

Previous Board Action/Review	April 2, 2024		
Performance Clackamas	1. Building trust through good government		
Counsel Review	Yes	Procurement Review	No
Contact Person	Evelyn Minor-Lawrence Director, HR	Contact Phone	503-655-8812

EXECUTIVE SUMMARY: The County and AFSCME-WES entered into negotiations on March 28, 2023, for the third-year wage reopener as required by the 2021-2024 Collective Bargaining Agreement (CBA). After three traditional bargaining sessions and three mediation sessions, the parties were unable to reach an agreement. Therefore, on February 20, 2024, the County declared impasse in the negotiations with AFSCME-WES over the third-year wage opener. As a result and as required by process, AFSCME-WES submitted their Final Offer and Cost Summary on February 27, 2024, requesting an additional wage increase of 3% effective July 1, 2023. The County and AFSCME-WES were subject to a 30-day cooling off period that ran from February 28 – March 29, 2024. Pursuant to ORS 243.712(2) (d), at the conclusion of the 30-day cooling off period, the County has the right to implement its Final Offer - \$750 lump sum. This is the same offer accepted by AFSCME DTD/BCS and the three CCEA Bargaining Units.

Staff is presenting the Board Order for implementation of the County’s Final Offer for the Board’s review.

The cost of implementing the \$750 Lumps Sum (with Roll-ups) for WES represented employees is: **\$92,289.**

RECOMMENDATION: Staff recommends the Board approve the attached Board Order to initiate Implementation of the County’s Final Offer.

Respectfully submitted,

Evelyn Minor-Lawrence, IPMA-CP
Digitally signed by Evelyn Minor-Lawrence, IPMA-CP
Date: 2024.04.03 11:55:36 -07'00'
Evelyn Minor-Lawrence, IPMA-CS
Director of Human Resources

BEFORE THE BOARD OF COUNTY COMMISSIONERS

Acting as the Water Environment Services Board of Directors

OF CLACKAMAS COUNTY, STATE OF OREGON

In the Matter of:
AFSCME-WES COLA reopener for the third
year of the 2021-2024 CBA.

Implementation of Final Offer following
Impasse



Board Order No.

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WHEREAS, Clackamas County (“County”) and AFSCME-Water Environment Services Employees of Clackamas County (“Union”) are parties to a Collective Bargaining Agreement (“CBA”) for the period December 15, 2022 through June 30, 2024; and

WHEREAS, Article 10 (Wages), Section 1(a), paragraph 3 of the CBA states:

Effective July 1, 2023, employees shall receive a cost of living increase equal to the percentage increase in the US Consumer Price Index, CPI-W: West Urban Annual Average, as reported by the U.S. Department of Labor, with a minimum of 0% and a maximum of 4.5%. In the event the established CPI exceeds the 4.5% maximum for the third year of this Agreement, the parties will engage in bargaining limited to the difference between the established 4.5% maximum and the established CPI reported for that year. Negotiations are to start no later than February 1, 2023.; and

WHEREAS, on January 12, 2023, the County received notice that the CPI used to determine cost of living increases for FY 23-24 was published and exceeded 4.5%; and

WHEREAS, due to the CPI exceeding the 4.5% maximum for the third year of the CBA, the parties entered into bargaining on March 28, 2023, and were unable to reach agreement; and

WHEREAS, the parties entered into mediation on May 17, 2023; and

WHEREAS, on January 3, 2024, the County presented a proposal to apply a one-time lump sum payment; and

WHEREAS, on January 30, 2024, the Union notified the County that the union members voted to reject the County’s proposal; and

WHEREAS, the County declared impasse and submitted its Final Offer on February 20, 2024; and

WHEREAS, the statutorily required 30-day cooling off period expired on March 29, 2024.

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Board Order No.

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NOW THEREFORE, the Clackamas County Board of Commissioners, acting in its capacity as the Water Environment Services Board of Directors, do hereby order the implementation of the proposal made in its Final Offer on the Union. The proposal being implemented is as follows:

\$750 one-time lump sum payment for all full-time employees employed by the County at the time of implementation. Less than full-time employees will receive a pro-rated amount based on their FTE. The lump sum payment is subject to applicable withholdings. The lump sum payment will appear in the paycheck three (3) full pay periods after the implementation date.

DATED this ____ day of _____, 2023

BOARD OF COUNTY COMMISSIONERS

Chair

Recording Secretary