

# MEMORANDUM OF AGREEMENT

## I. Parties to the Agreement

The parties to this Agreement are Multnomah County, hereafter referred to as the "County" or the "Employer" and the American Federation of State County and Municipal Employees (AFSCME) Local 88, hereafter referred to as the Union or Local 88.

## II. Purpose and Intent of this Agreement

The purpose of this Agreement is to provide for equitable distribution of extra shifts, whether and to effectuate the terms of Article 14.IV.C of the parties Collective Bargaining Agreement which requires among other things that:

**3. Equal distribution of overtime work:**

*Overtime work shall be distributed as equally as practicable among employees working within the same job classification within each work unit providing they have indicated in writing a desire to work overtime to their supervisor. The County will endeavor to post rules related to overtime distribution in all work units in which overtime is assigned, and shall post such rules or procedures in each work unit with twenty-four (24) hour or seven (7) day-per-week operations. (emphasis added)*

**4. No discrimination:**

*There shall be no discrimination against any employee who declines to work overtime. Overtime work shall normally be voluntary except in cases where the County Chair or designee, Department Director, Sheriff, or District Attorney has notified impacted employees that they believe the public health, safety and welfare, or critical public interest may be at risk.*

To this end, the parties have entered into the following Agreement.

## III. General Provisions

- A. All employees have access to Humanity and current schedules are in humanity and updated regularly. Humanity has a function that allows for management to "publish" available shifts and for employees to "request" shifts. Management can then "accept" or "reject" each request individually which provides timely notification to all employees.
- B. Open shifts are identified in Humanity and will be published and available for employees to see and request according to the following schedule.
- C. For short notice shifts, management will keep an updated call list for sending out notifications to employees to sign up via Humanity.

#### **IV. Advance Notice Shifts**

- A.** Advance notice of open shifts will be provided to all employees via Humanity or through another mutually agreeable process.
- B.** The scheduling of advanced shifts will begin by the 15th of the month preceding the month being scheduled (ex. Sept 15th for November schedule). Shifts will be offered to staff in the following prioritization:
  - 1. Regular employees, starting with the lowest FTE, resulting in straight time.
  - 2. On Call employees, resulting in straight time.
  - 3. Regular employees, shifts resulting in OT, DT (require Supervisor approval)
  - 4. On Call employees, shifts resulting in OT (require Supervisor approval)
- C.** Employees will be notified that they can submit shift requests for the month being scheduled via email. This email will be sent with a clear identification of the day it is sent and the day that employees have to reply with requests. For example:

*As of today, Friday 9/13/21, you may request shifts for the month of November. Please request shifts in Humanity. All requests will be reviewed and assignments will be made starting on Friday 9/20/21.*
- D.** The assigning of shifts will then occur while taking into consideration the prioritization of employees and equity as much as possible within these prioritization groups. Employee requests will be accepted or rejected via Humanity.
- E.** During the first round of shift assignments, assignments will only be made to those indicating that they can work the entire shift (no partial shifts will be assigned until after the first round is completed).
- F.** This first round assigning of shifts will be completed by the first of the month prior to the month being scheduled (ex. by Oct 1 for November schedule). Once it is complete an email will be sent to all employees indicating that all shift assignments have been completed based on requests.
- G.** Employees may then continue to request any shifts that remain open for this month and these will be distributed as requests are submitted and according to the prioritization schedule above.
- H.** New open shifts that occur in the schedule prior to forty-eight (48) hours and after the first round of advance notice scheduling has been completed for the month will be filled as requests are submitted and according to the prioritization schedule above.

#### **V. Short Notice Shifts**

- A.** Short notice shifts are defined as shifts that become available within forty-eight (48) hours of the scheduled start time.

- B. Employees that wish to be on an availability list for short notice shifts may opt to provide a personal cell phone number for contact. Management will utilize the County Connect messaging system to send notification messages to those employees that have stated a preference to be on this availability list.
- C. When a short notice shift opens up a text message will be sent to the available employees text group alerting them of the opening.
- D. Employees who wish to pick up the short notice should immediately contact the call center admin and request in Humanity.
- E. The shift will then be filled on a first come first serve basis while also utilizing the same prioritization list as above for multiple responses.
- F. During the short notice period, management may offer partial shifts.

Agreed to this 8th of June, 2022.

For the Union

*Eben Pullman*

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Eben Pullman  
Bargaining and Representation Manager

For the County

*James J. Opoka*

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James Opoka  
Labor Relations Manager