

MEMORANDUM OF AGREEMENT

I. Parties to the Agreement

The parties to this Memorandum of Agreement (MOA) are Multnomah County, Oregon, hereinafter referred to as the "County," and Local 88, of the American Federation of State, County and Municipal Employees (AFSCME), AFL-CIO, hereinafter referred to as the "Union."

II. Background

The County utilizes Limited Duration Appointments to address staffing needs as outlined in the CBA Article 2, section VIII, "Limited duration appointments may be made for assignments of uncertain or limited duration. Such appointments shall be for a stated period not exceeding two (2) years but may expire earlier." Furthermore, Article 2, section VIII states that "Limited duration appointments shall be made only with the agreement between the Union and Labor Relations."

In May 2015 the County and the Union entered into discussions regarding the probationary period for employees who transition from Limited Duration Appointments (LDA) to Regular status positions in the same classification and department. Currently, Addendum K of the CBA states that employees hired into an LDA position do not serve a probationary period. Additionally, should an LDA employee be hired into a Regular status position, the employee will be required to serve a full new hire probationary period of twelve months. After reviewing and discussing the concerns and benefits of amending the probationary period for LDA employees transitioning to Regular status positions, the parties mutually agree as follows:

III. Agreement

Effective July 1, 2015 Article 2, section VIII. Limited Duration employees will be amended as follows:

VIII. Limited Duration employee:

Limited duration appointments may be made for assignments of uncertain or limited duration. Such appointments shall be for a stated period not exceeding two (2) years but may expire earlier. An employee in a limited duration assignment can be either a new-hire or an existing regular status employee who is scheduled on a full-time or part-time basis, and who receives benefits and union representation per this agreement. New-hire limited duration employees are excluded from layoff rights since his/her appointment from the outset is determined to be time, task and work unit limited. New employees appointed under this section will only accrue seniority pursuant to Article 21.II.B.6.

- A. New Hire limited duration employees who have been employed for at least twelve (12) months of continuous service and are hired into a regular status position in the same classification and department as their original LDA position will serve a six (6) month period of trial service probation upon hire to determine his or her suitability for continued employment, such period to begin on the date of his or her appointment to a regular position from a certified list of eligibles.
- B. New Hire limited Duration employees who have been employed less than twelve (12) months but at least six (6) months and are hired in the same classification and department as their original LDA position will serve a trial service probation that is

equal to the balance of time between their date of hire into a regular status position and eighteen (18) months after their date of hire as a LDA employee.

- C. New Hire limited duration employees who have been employed by the County for less than six (6) months or LDA employees who are hired into a regular status position in a different classification and/or different department than the classification and/or department of their original LDA position shall serve a one (1) year period of trial service probation to determine his or her suitability for continued employment, such period to begin on the date of his or her appointment to a regular position from a certified list of eligibles.
- D. An existing regular status employee that is working in a limited duration position and is promoted into the same classification as their original LDA position, will serve a promotional probationary period as described in Article 2 XII.
- E. During any period of trial service probation, the employee may be dismissed without recourse to the grievance procedure if, in the opinion of the employee's supervisor, his or her continued service would not be in the best interest of the County. The length of an employee's probationary period may not be extended by a Memorandum of Agreement under the terms of Article 26, unless the employee was absent from work for a period of three (3) months or more previous to the extension.

A regular status employee appointed to a limited duration appointment shall be reinstated to a position in his/her former classification, looking first at vacancies within the department in which the limited duration appointment exists and then Countywide, for purposes of layoff or when the limited duration appointment ends. Regular status employees will continue to accrue seniority as if in their regular assignment and will appear on the annual seniority list in their base classification. Limited duration appointments shall be made only with the agreement between the Union and Labor Relations.

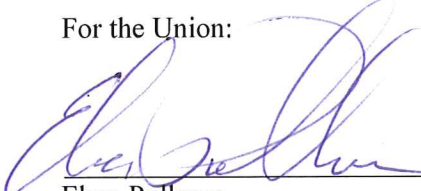
The parties agree that the revisions to Article 2, Section VIII, shall be incorporated into the parties' successor labor contract.

Agreed to this 19th date of August 2015.

For the County:


Cessa Diaz
Labor Relations Manager

For the Union:


Eben Pullman
Council Representative
Council 75



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August 19, 2015

Cessa Diaz
Labor Relations Manager
Multnomah County
501 SE Hawthorne Blvd.
Portland, OR 97214

RE: Corrected MOA covering probationary periods and LDA employees

Dear Cessa,

Attached is a corrected version of the MOA we had previously signed. As I mentioned to you in my email earlier this month, the draft we signed contained a typographical error in paragraph D on the second page when it cited Article 2.XI when describing the conditions for a regular status employee who accepts a promotion to a classification he/she had worked in during a limited duration appointment. Article 2.XI references initial probationary periods for new hire employees and Article 2.XII covers employees that have achieved a promotion. Even though the language of the MOA clearly is covering the later situation I believe we should correct this error to avoid any confusion. Once signed by both parties this agreement would cancel and replace the previous MOA.

Sincerely,

A handwritten signature in blue ink, appearing to read "Eben Pullman".

Eben Pullman
Council Representative

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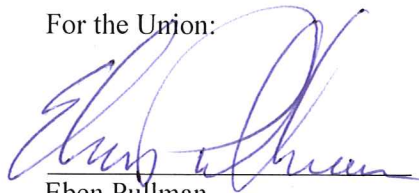
Agreed to this 23rd date of July 2015.

For the County:



Cessa Diaz
Labor Relations Manager

For the Union:



Eben Pullman
Business Representative
Council 7