

SEIU Represented Agencies

- ODOT Coalition -
Contract Training

SEIU and State of Oregon
Collective Bargaining Agreement



DAS Labor Relations Unit
Tom Perry, State LR Manager

Tom Perry, Manager
DAS, HRSD, LRU

**ODOT Coalition Summary of Tentative Agreements
For 2009—2011 Collective Bargaining Agreement**

Article 26 – Differential Pay

Section 1(f) expands the availability of the Certified Bridge Worker differential of 5.0% to TMC 1 and TMC 2 classifications. Section 7(f) eliminates the Bridge Crew Lead Differential of 5.0% for TMC 1's. This language provides for the continuation of the bridge worker differential to employees working on rotations or out of class in management classifications.

The language became effective upon signing (March 9, 2009) and will continue into the new contract (2009—2011.)

Article 33.3A – Meal Allowance

The new language adds the classifications of Automotive Technician and Machinist to existing classifications that may receive the \$12.00 meal allowance while not on travel status, if required to work at least specified threshold hours beyond the end of their shifts, and are not permitted to return to their home for a meal.

Additional language in new Section 3 provides that persons working between 16 and 24 hours under the above circumstances will receive \$17.00 instead of the \$12.00 meal allowance.

Article 36.3A,C – Travel Policy (ODOT & Forestry)

Obsolete and redundant language is removed in Sections 3 and 4. Language changes in Section 8 remove classification references in the article, but reference Article 33.3A (see above) for classifications that are not otherwise eligible for meals on non-overnight travel under the DAS travel policy. The reference brings consistency to application of meal eligibility for the specified classifications.

Article 40.3 – Work Schedule Premium Pay (ODOT Coalition)

The word *schedule* has been removed from Section 2(a), to avoid confusion between the issues of *daily reporting time* and *weekly work schedule*. In Section 2(c), the time for reporting time notice has been changed from 5 workdays to 7 calendar days to clarify the length of advance notice required.

Note: These language changes work hand-in-glove with changes in Article 90.3A, Work Schedules.

Article 58.3 – Holiday Scheduling and Compensation for Holiday Work

The language adds section for ODOT only. The language clarifies the dates on which holidays are to be observed, based on the employees' work schedules.

LOA Article 58.3 – Holiday Observance in DMV

The language specifies that DMV will observe alternative scheduling on three holidays during the 2009—2011 biennium, and that DMV offices will be closed on both Friday and Saturday in relation to those three holidays.

Article 66.3– Vacation Leave (ODOT Coalition)

Section 1(a), which references the now closed Phipps Nursery, is deleted. Section 1(b) is relabeled 1(a) and the contents extended to Forestry and ODOT, but excluding DMV. The language applies to seasonal employees who work back-to-back seasons, and allows them to carry forward up to 40 hours of vacation under certain conditions. The intent of this language is to give seasonal employees working, essentially, year-round without a break the opportunity to take some vacation leave. If seasonal employees are paid off vacation at the end of one season, but immediately start a new season, they never have the opportunity to take time off. This language gives them an opportunity to do so.

Article 70.3B– Geographic Area for Layoff (OPRD)

The language is updated to reflect reorganization within OPRD and eliminate obsolete language.

Article 70.3C– Geographic Area for Layoff (Forestry)

LOA on Phipps Nursery early return to work program is eliminated, since the Phipps Nursery has been closed. LOA on Article 70.3C eliminates the Forest Nursery as a geographic area and adds the new Tillamook Forest Center location.

Article 90.3A – Work Schedules (ODOT)

In new Section 1(c)(5), the language provides an additional exception to the 60-hour duty-free provision. This is added to coincide with the LOA on Article 90.3A on changing work schedules.

In Section 1(d), the obsolete application to MCEO's is deleted.

LOA Article 90.3A, Section 1 (a), ODOT

This LOA adds the requirement that seven calendar days notice be given for weekly schedule changes, and if such notice is not given, then there is a penalty pay due the employee until the notice requirement is met. The penalty cannot be paid for a change in reporting time nor may it be paid in addition to a penalty payment for a change in reporting time.

The unique code to be used for this change is SCT. This change is effective on September 1, 2009.

Article 90.3E– Work Schedules (ODFW)

Section 3 is modified to permit employees to request a change to a posted schedule if there are fewer than 10 hours scheduled between shifts. Approval of the changes is subject to the operating needs of the agency and does not cause any form of penalty pay, but may not be unreasonably denied.

Section 5 is added to indicate that lunch breaks are to be scheduled close to the middle of the work shift, and that adjustments can be made based on operational needs or be mutual agreement between the employee and their supervisor.

Section 6 is added to provide reasonable notice to employees who are required to travel out of town overnight, to the extent that the schedule is known to the employee's supervisor and it can be relayed to the employee.

LOA Article 90.3E – Work Schedules (ODFW)

This LOA addresses posting of flexible schedules and changes thereto for the Ocean Salmon and Columbia River Program (OSCRP) only. It also provides for Labor/Management Committee review of schedule postings and changes for a year's time, and recommendations based thereon for schedule posting processes.

Article 121.3 – Education, Training & Development (ODOT Coalition)

The changes to this article address perennial bargaining proposals over this issue. The new language in Section 1 expands the reasons employees may request job-related training to include career development and enhancing job functionality. New language in Section 3 identifies the bases on which agencies may decline to fund job-related training or educational programs.

Section 5. Confirms management's rights to control processes for selecting employees for job rotations or other developmental opportunities. It also provides for a 14 day posting of open announcements.

Article 122.3A,B – Uniforms, Protective Clothing & Tools (ODOT, OPRD)

Section 1 expands the classifications that can receive up to \$75 receipted annual reimbursement for replacement of prescription safety glasses (under certain circumstances) to Machinist, Auto Technician 1 and Auto Technician 2. Section 1 further permits employees in certain classifications to apply their tool reimbursement toward the purchase of rain gear or protective clothing.

Section 3 for OPRD only expands the availability of reimbursement for ANSI boots to seasonal employees on a pro-rata basis.

Article 122.3C – Uniforms, Protective Clothing & Tools (Forestry)

Section 5 increases the biennial tool allowance from \$550 per biennium to \$700 per biennium, which is consistent with the current ODOT tool allowance.

LOA 122.3C-07-161

Raingear Issuance Criteria (Forestry)

This agreement eliminates obsolete language on rain gear issuance criteria.

LOA 00.00-05-137

Work Capacity Testing (Forestry)

The ending date of the LOA is changed from 2009 to 2011.