MEMORANDUM OF AGREEMENT

I. Parties to the Agreement

The Parties to this Memorandum of Agreement are Multnomah County, Oregon, hereinafter referred to as the County and AFSCME Local 88, hereinafter referred to as the Union.

II. Background

In the Local 88 2007-2011 contract, the parties have agreed to have "Limited Duration" appointments. The parties acknowledge that the language listed in the contract does not adequately define what the rights are of employees in limited duration appointments. As a result, the parties wish to develop mutually agreed upon interpretations of the rights of employees in limited duration appointments.
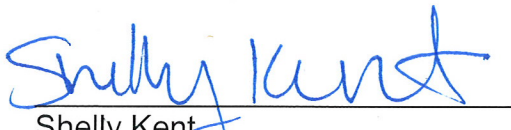
III. Agreement

The parties agree to the contents outlined in the attached document "Employee Rights When in Limited Duration Assignments, Local 88 2007-2011 Contract." This agreement shall remain in affect for the duration of the Local 88 2007-2011 unless amended by both parties.

This represents the complete agreement of the parties.

Agreed to this 8th day of January, 2009.

For the County:

Shelly Kent
Labor Relations Manager

For the Union:

Val Andreas, Council Representative
AFSCME Local 88

Employee Rights When in Limited Duration Assignments
Local 88 2007-2011 Contract

Employee Rights While in an LDA Position:

Scenario	Serve a Probation	Transfer Rights	Job Class Seniority	Countywide Seniority	Bump/ Recall Rights	Vacation Bidding	Schedule Bidding
New hire LDA employee	No	No	No	No	No	No	No
Regular status employee assigned an LDA that is a promotion or demotion	No	In base class only	Accrue in base class only	Accrue in base class only	In base class only	Use time spent in LDA to determine rights	Use time spent in LDA to determine rights
Regular status employee assigned an LDA that is a lateral	No	Yes	Yes	Yes	Yes	Yes	Yes

Employee Rights After an LDA Ends:

Scenario	Serve a Probation	Transfer Rights	Job Class Seniority	Countywide Seniority	Bump/Recall Rights	Vacation Bidding	Schedule Bidding
New hire LDA employee; hired into regular status after LDA ends (same classification, promotion or demotion) without a break in service	Yes (no credit for LDA time)	Yes	Same as seniority for temps hired into regular status	Same as seniority for temps hired into regular status	Yes	Yes	Yes
Regular status employee assigned an LDA that is a promotion; at end of the LDA promoted into same classification as LDA	Yes	Yes	Same as seniority for temps hired into regular status	Same as seniority for temps hired into regular status	Yes	Yes	Yes

Employee Rights When in Limited Duration Assignments
Local 88 2007-2011 Contract

Employee Reinstatement Rights at the end of an LDA:

Type of Employee	Reinstatement Rights
New hire LDA employee	None; employee is separated from employment
Regular status employee working in an LDA	Employee is returned to base classification in home department; if there are no vacancies, then look for a vacancy countywide; if no vacancies, then normal bumping rules apply

LDAs and Layoff:

Scenario	Serve a Probation	Transfer Rights	Job Class Seniority	Countywide Seniority	Bump/Recall Rights	Vacation Bidding	Schedule Bidding
Regular status employee subject to layoff is offered an LDA (lateral or demotion to previously held classification) Note: An offer to employees to bump into an LDA is by mutual agreement of Local 88 and the County	No	No	Same as seniority for temps hired into regular status	Yes	Employees can decline an LDA and remain on recall list Failure of an employee in an LDA to accept a recall offer would result in removal from the recall list	Use time spent in LDA to determine rights	Use time spent in LDA to determine rights
Project Save	Employees subject to layoff cannot be Project Saved into an LD position.						

Notes: 1. Vacation bidding rights are subject to the Memorandum of Agreements signed by each department, Local 88, and Labor Relations.
2. "Home" department for the purpose of establishing limited duration rights is the department in which the employee held a regular status position in prior to being placed in a limited duration assignment.