

**ARTICLE 27 – STANDBY AND CALLBACK PAY**

**Section 1. Standby Duty.** Employees working within the Bureau of Environmental Services, ~~the Victims Services Advocate group in the Portland Police Bureau, the Water Bureau, the City Communications Office within the City Operations service area, and the Duty Officer(s) in the Portland Bureau of~~ Emergency Management, may be assigned Standby Duty. For the purpose of this article, Standby Duty is defined as a requirement that an employee remains available and fit for duty during nonworking time and must promptly respond if needed. The employee on Standby Duty must respond to the initial contact from the City within five (5) minutes, ~~unless the work unit manager or supervisor permits a longer period to respond.~~ If the employee's presence at the worksite is required, the employee must be able to report for work within a period of sixty (60) minutes, absent unusual circumstances. Employees in the standby group are responsible for keeping their assigned telecommunications equipment in operation and for complying with their standby work assignment at all times.

**Section 2. Standby Pay.** ~~Employees on standby will receive 0.13 hours of straight time in pay or as compensatory ("comp") time for every hour of time that they are expected to be on Standby Duty. It is the employee's choice whether to receive pay or comp time. This election applies to both FLSA-exempt and FLSA non-exempt employees. Comp time under this Section is subject to the provision of Article 25 - (Overtime). Section 2 (Compensatory Time), except that FLSA-exempt employees may accrue compensatory time for Standby Duty notwithstanding overtime eligibility.~~

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**INTENT:**

1. Limit Standby eligibility to applicable Bureaus/Work groups – expand to Water, PPB, PBEM, City Communications
2. Clarify language to allow FLSA-exempt employees that are eligible for Standby pay the choice to receive as comp time or pay.

**Commented [KO1]:** We have learned that there are other members outside of these three groups who are assigned standby pay. We have employees who perform this work and who are in the Police Bureau (not Victims Advocates), Water Bureau, Maintenance and Operations Facilities, and Utility Communications, among others. We believe stating "employees may be assigned standby duty" addresses this important issue appropriately. We believe all ProTec, AFSCME, DCTU, Laborers and other units at the City who perform standby pay receive compensation for that work. We are simply asking for the same consideration.

**Commented [KO2R1]:** 2-26-26 - CPPW is maintaining its position on this issue - that it should apply to all employees who perform this assigned work. Public Safety Service Area employees and Public Works employees and Central Communications employees all are folks that are assigned Standby

**Commented [FM3R1]:** I acknowledge the ONE employee that was moved from BES to Central Communications - but I have no other examples of where this language is appropriate and should be applied. Open to adding a clause that allows the BHR director to approve use outside of these three bureaus for the life of the contract.

**Commented [KO4]:** There are some work units that have longer response times and we thought flexibility here makes sense.

**Commented [KO5]:** We have adopted the City's 2-10 Counter Language

**Callback Pay.** If an employee identified in Section 1 is required to physically report while in standby status ~~or an emergency requires employees in the work unit to be called back to work~~, the employee will be paid at the rate of one and one-half (1.5) times their hourly rate for all time worked, beginning when the employee reports to the worksite and ending when the work is complete, or a minimum of one hour at the rate of one and one-half (1.5) times their hourly rate for the callout, whichever is greater. ~~If an employee is required to report remotely while in standby status by taking an action that requires more than 10 minutes of time, the employee shall be paid or shall receive comp time at the rate of one and one-half (1.5) times their hourly rate for all time worked or a minimum of 30 minutes at the rate of one and one-half (1.5) times their hourly rate for the callback, whichever is greater.~~ For all work performed remotely, the employee shall be entitled to flex their time. This provision does not apply when an employee is required to work additional time that is adjacent to their scheduled work hours.

**Commented [KO6]:** We have become aware that there have been emergencies where all employees in the work unit are called back to work. We want to ensure that in such situations, employees are appropriately compensated.

**Commented [KO7R6]:** 2:26: We are maintaining our position on this.

**Commented [FM8R6]:** Employees can't be called back unless you're on standby. I suggest employees create boundaries around non working hours

**Commented [KO9]:** We are aware that employees are not being permitted to flex their time and the flex time is sometimes too great to take during the time period that is available to flex time therefore the employee does not receive the benefit of the contract.

**Commented [KO10R9]:** 2-26: We are maintaining our position on this.

**Commented [FM11R9]:** Who, when, and where?

TENTATIVE AGREEMENT:

For the City:	For the Union:
Marquis Fudge	Katelyn Oldham