

**METROPOLITAN EXPOSITION-RECREATION COMMISSION**

**RESOLUTION NO. 96-48**

**For the Purpose of Amending Metro ERC's Non-Represented PERS Practices to Conform to Recent Oregon Supreme Court Decisions, and Authorizing the General Manager to take Similar Actions with Respect to Certain Metro ERC Represented Employees.**

**WHEREAS, in Resolution No. 94-75, the Commission granted all full-time non-represented employees salary increases in the amount of 5.5%, in light of Measure 8; and**

**WHEREAS, Measure 8 required all public employees to pay the 6% "employee portion" of their PERS contribution, which had previously been paid by the Commission; and**

**WHEREAS, the Oregon Supreme Court has recently declared Measure 8 unconstitutional; and**

**WHEREAS, in Resolutions No. 94-76 and 94-77, the Commission approved Letters of Agreement with AFSCME Local 3580-1 and Operating Engineers Local 701 which granted similar wage increases; and**

**WHEREAS, those Letters of Agreement gave the Commission the ability to roll back the increases for represented employees in the event that Measure 8 was invalidated; and,**

**WHEREAS, the Metro Council has recently ratified an agreement with AFSCME Local 3580, and passed a resolution with respect to Metro's non-represented employees, which rolls back the 5.5% wage increase granted those employees, and resumes the practice of employer paid "pick-up" what had been prohibited by Measure 8; and,**

**WHEREAS, the Commission wishes to take similar action with respect to its employees; now, therefore,**


**BE IT THEREFORE RESOLVED:**

- 1. That the 5.5% increase granted to the Commission's full-time non-represented employees in Resolution 94-75 is hereby repealed.**
- 2. That the Commission shall resume paying the 6% "employee share" of the PERS contribution for those non-represented employees who previously received this benefit prior to the effective date of Measure 8.**
- 3. That the General Manager is authorized to exercise the option to roll back the 5.5% increase granted to the Commission's represented employees and resume paying**

the "employee pick-up" for those represented employees who previously received this benefit, as per the Letters of Agreement signed with AFSCME Local 3580-1 and Operating Engineers Local 701, upon the conclusion of any necessary or advisable discussions with those bargaining units.

Passed by the Commission on July 29, 1996.

  
Chairman

  
Secretary/Treasurer

Approved As to Form:  
Daniel B. Cooper, General Counsel


By

  
Mark B. Williams  
Senior Assistant Counsel

M E M O R A N D U M



METRO

Date: July 26, 1996  
To: Pat LaCrosse  
From: Mark B. Williams, Senior Assistant Counsel   
Regarding: Resolution No. 96-48

---

Attached is a proposed resolution for Monday's MERC meeting. The resolution would:

1. Repeal the 5.5% wage increase which was previously granted MERC's non-represented employees in light of Measure 8.
2. Resume the practice of paying the 6% "employee pick-up" for those employees who received this benefit prior to Measure 8.
3. Authorize the General Manager to take similar action with respect to MERC's represented employees, pursuant to Letters of Agreement signed with two of MERC's bargaining units.

These actions would mirror actions taken by the Metro Council on Thursday, July 25, 1996, with respect to Metro's non-represented employees and those represented by AFSCME Local 3580. As you recall, MERC took its actions on this issue back in December of 1994 in conjunction with similar action taken at that time by the Metro Council.

I recommend passage of this resolution at the MERC meeting scheduled for this Monday, in order to clear up any uncertainties left in the wake of the Supreme Court's recent action invalidating Measure 8 in its entirety. I will be available at the meeting on Monday in order to explain further if there are any questions or concerns.

cc: Judy Gregory  
I:MARKLACROSSE.726