

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON
ORDINANCE NO. 808

An ordinance adjusting exempt employee wages and benefits in order to carry out Measure 8 and to equalize benefits for nonexempt and exempt employees; repealing certain provisions in ordinance No. 740 relating to pension benefits; increasing salaries and salary ranges for exempt employees; and declaring an emergency.

MULTNOMAH COUNTY ORDAINS AS FOLLOWS:

Section I. Purpose.

A. Measure 8 was adopted by the voters at the November 8, 1994 general election.

B. In response to Measure 8, the Board has adopted a Resolution setting forth policy for carrying out the measure.

C. This ordinance carries out the policy stated in the Resolution and is a part of the plan to mitigate the measure's impact on employees.

D. The Board has received legal counsel on the policies and measures that can be adopted to mitigate the impact on employees. This Ordinance is in conformance with that legal counsel and advice.

Section II. Repeal.

Sections XVIII (C), (D) and (E) of Ordinance No. 740 are

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1 repealed. The effective date for this repeal is (1) the close of
2 business on December 7, 1994 with respect to exempt employees as
3 that term is defined in Section III (E) of this Ordinance, and (2)
4 December 10, 1994 for temporary employees. (The entire section is
5 reprinted below for reader convenience. Shaded language is to be
6 deleted).

7 Section XVIII. Pensions.

8 (A) This ordinance does not affect any benefits
9 which Library exempt employees may have been previously
10 awarded under the Library Association of Portland pension
11 plan.

12 (B) Exempt employees shall be eligible for
13 participation in the Oregon Public Employees Retirement
14 System (PERS) pursuant to ORS 237.

15 (C) In addition to the salaries paid to exempt
16 employees, and in lieu of employee contributions to PERS
17 required by ORS 237.071, the County shall assume or "pick
18 up" the uniform six percent (6%) of salary contribution
19 as provided by ORS 237.075.

20 (D) The full amount of required contributions
21 "picked up" as provided in this section shall be
22 considered as salary under ORS 237.003(8) only for the
23 purpose of computing an employee member's final average
24 salary under ORS 237.003(12).

25 (E) The full amount of required contributions
26 "picked up" in this section shall be added to an
employee's individual account balance for his/her annuity
and shall be considered to be employee contributions for
all other purposes of ORS 237.

27 Section III. Pay Range Adjustments; Effect on Employees.

28 (A). Effective at the close of business on December 7, 1994,
29 and except as provided in subparagraphs (B) and (C) below, any
30 existing pay rates or ranges for exempt employees as that term is

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1 defined in this Section shall be increased by 5.6%, and the pay of
2 such exempt employees shall be increased by the same percentage in
3 lieu of the PERS pickup provided under prior county policy.
4 However, the effective date for the increase to temporary employees
5 shall be December 10, 1994 to facilitate automated pay
6 administration for such employees.

7 (B). The increases referred to in the preceding paragraph
8 shall not apply to the Board of County Commissioners and the
9 Auditor, whose salary is set by formula in the Home Rule Charter of
10 Multnomah County.

11 (C) Any exempt employee on the effective date of this
12 Resolution who is not then a member of PERS shall receive a salary
13 increase of 5.6% on the date the employee becomes a member of PERS.

14 (D) Unless otherwise provided by Board action, the base pay
15 and ranges for all exempt employees granted a 5.6% pay increase
16 under paragraphs (A) or (C) of this Section shall be increased on
17 July 1, 1997 by .4% of the base pay and ranges in effect on June
18 30, 1997.

19 (E) As used in this section, the term "exempt employee(s)"
20 has the meaning stated in Section II (A), Ordinance No. 740, but
21 shall also include any employee not covered by collective
22 bargaining agreement, such as less-than-part time, on-call and
23 temporary exempt employees.

24
25 Section V. Emergency Clause.

26 This Ordinance, being necessary for the health, safety, and

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welfare of the people of Multnomah County, an emergency is declared, and the Ordinance shall take effect December 7, 1994, pursuant to Section 5.50 of the Charter of Multnomah County.

Section VI Savings Clause

In the event this ordinance is for any reason declared by a court of competent jurisdiction to be ineffective as an emergency ordinance, the ordinance shall be deemed a nonemergency ordinance and shall take effect in accordance with section 5.50 of the Charter of Multnomah County; provided, however, that sections II through V shall be retroactive to the close of business on December 7, 1994.

APPROVED this 15th day of December, 1994, being the date of its second reading before the Board of County Commissioners of Multnomah County, Oregon.



MULTNOMAH COUNTY, OREGON

Beverly Stein
Beverly Stein
Multnomah County Chair

REVIEWED:

Laurence Kressel, County Counsel
For Multnomah County, Oregon

By *Laurence Kressel*
Laurence Kressel

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