





# The Oregon Coalition of Police and Sheriffs

*Representing line officers and sheriffs' deputies*

**VOTE**  **ON SB 383**

-  Unravels existing collective bargaining agreements
-  Gives legislative approval for employers to break contracts



VOTE **NO** ON SB 383

Portland Police Bureau Discipline Guide

Refer to category description when determining the severity of the violation for directives that fall in multiple categories.

Categories and Descriptions	Mitigated	Presumptive	Aggravated
Examples noted (but not limited to)		CC	LOR
... that has or may have a minimal negative impact on	1st violation in 1 Year		



CITY OF PORTLAND, OREGON

Bureau of Police  
Charlie Hales, Mayor  
Michael Reese, Chief of Police  
1111 S.W. 2nd Avenue • Portland, OR 97204  
Phone: 503-823-0000 • Fax: 503-823-0342  
Integrity • Respect • Excellence • Service

"In practice, the guide will accompany Internal Affairs and/or performance investigation investigative material to be reviewed by the ... Chief of Police when considering corrective action ..."

**CATEGORY C: Conduct that involves a risk to safety or that has or may have a pronounced negative impact on the operations or professional image of the department, or on relationships with other officers, agencies or the public.**

1st violation in 3 Years	LOR	One Day SWOP	SWOP
		Two Day	

- Significant deviation from policy resulting in vehicle crash
- Disclosure of confidential information
- Significant deviation from policy resulting in N/D of L
- Failure to adhere to ORS mandated arrest
- Minor deviation from use of physical force policy
- Deviation from policy resulting in N/D of F/A
- Deviation from vehicle pursuit policy
- Deviation from confrontation management perform
- Deviation from search and seizure policy
- Offensive or discriminatory language (Example: Epi

**CATEGORY D: Conduct substantially contrary to the values of the Bureau that substantially interferes with its mission, operations or performance, or that involves a serious risk to officer or public safety, or to the Bureau policy.**

- Disparate treatment
- Deviation from use of physical force policy
- Significant deviation from vehicle pursuit policy
- Sustained 2.02 Violations (Mandatory PRB Review)
- Significant deviation from policy resulting in N/D of F/A

2nd violation in 5 Years	SWOP	SWOP
3rd violation in 5 Years	One Workweek SWOP	Two Workweek SWOP

"The Police Commissioner and/or Chief of Police may deviate from this guide as conditions and circumstances warrant."

... in the development of the guide included: providing a mechanism for and/or performance; making recommendations to improve the corrective action and discipline process; providing guidance to supervisors who make disciplinary recommendations; promoting and providing consistency in disciplinary actions; providing officers with an understanding of possible outcomes; improving accountability.



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2017  
OREGON  
REVISED

**"Disciplinary action may not be taken against a public safety officer without just cause."**

**ORS 236.360(4)**

Government, Public Employees, Elections  
Title 20 Counties and County officers  
Title 21 Cities  
Title 22 Public officers and Employees  
Title 23 Elections





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# LABOR AGREEMENT Between the PORTLAND POLICE ASSOCIATION



and the

## ARTICLE 68 TERMINATION AND

68.1 This Contract shall be effective upon force and effect until the 30th day of June 2020.

68.2 Negotiations for a successor Agreement shall remain in full force until negotiations.

For the City of Portland:  
Mayor Ted Wheeler  
For the Association:  
Mary Hull Caballero, Auditor  
Chief Michael V. Haro

## ARTICLE 22 GRIEVANCE AND ARBITRATION PROCEDURE

22.1 To promote better employer/employee relations, both parties pledge their cooperation to settle any grievances or complaints that might arise out of the application of this Contract by use of this procedure. One purpose of the grievance procedure shall be to attempt to settle grievances at the lowest level possible.

22.2 **Step I.** Any officer or the Association claiming a grievance shall file a written provision of this Contract may refer the matter in writing to the supervisor outside the bargaining unit. This supervisor shall have twenty (20) calendar days from the date of the grievance application (by an Association representative) to attempt to settle the grievance reasonably should have.

“Disciplinary action shall be for just cause and will be subject to the following grievance procedure. ...”

Through  
June 30, 2020

22.2.1 The Association shall have twenty (20) calendar days from the date of the submission of the grievance to the Chief of Police. If the Association does not respond within the twenty (20) calendar days, the Chief shall have twenty (20) calendar days to present the grievance to the Association. If the Association does not respond within the twenty (20) calendar days, the Chief shall have twenty (20) calendar days to present the grievance to the Association. If the Association does not respond within the twenty (20) calendar days, the Chief shall have twenty (20) calendar days to present the grievance to the Association.

22.4 **Step III.** The Bureau of Human Resources shall have twenty (20) calendar days in which to reply. If the Bureau of Human Resources does not respond within the twenty (20) calendar days, the Association shall have twenty (20) calendar days to present the grievance to the Chief of Police.



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- 1. Knowledge of consequences**
- 2. Rule reasonably related to safe operation and reasonable expectation of performance**
- 3. Effort to discover whether rule was violated**
- 4. Fair and objective investigation**
- 5. Substantial evidence or proof that the employee was guilty as charged**
- 6. Rules, orders, and penalties applied evenhandedly and without discrimination**
- 7. Degree of discipline administered by the employer in a particular case must be reasonably related to (a) the seriousness of the employee's proven offense and (b) the record of the employee in their service with the employer**

diameter and metallurgical composition. The Company receives coils of wire rod from its suppliers, and said coils vary in ends in sets of three to form a "pin" and are tagged for identification. Before the coils reach the cleaner employee, they are welded to clean the pins in...



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### LETTER OF AGREEMENT

This Agreement Is Made and Entered between the City of Portland ("City") and the Portland Police Association ("PPA") (collectively referenced as the "Parties" and individually as a "Party").

#### I. RECITALS

of America ("United States") initiated a civil action  
United States v. City of

SO AGREED

FOR THE CITY:

CHARLIE HALES  
Mayor  
City of Portland

Date: 12-18-03

APPROVED AS TO FORM *2/0*  
APPROVED AS TO FORM:

HARRY AUERBACH  
City Attorney  
City of Portland

"... the just cause and due process disciplinary standards under the parties' collective bargaining agreement still apply and are not modified or supplanted by the Discipline Guide."

the parties...  
supplanted by the Discipline

6. If the PPA challenges discipline though the grievance procedure under the collective bargaining agreement, and either party seeks to introduce the Discipline Guide into evidence, the arbitrator may be given a copy of this LOA as evidence of the intent and purpose of the Guide.

7. This Agreement is non-precedent setting except for the terms set forth herein. Except as specifically stated in this Agreement, all terms and conditions of the parties' collective bargaining agreement shall remain in full force and effect.

This Agreement is non-precedent setting except for the terms set forth herein. Except as specifically stated in this Agreement, all terms and conditions of the parties' collective bargaining agreement shall remain in full force and effect.

8. This Agreement shall remain in full force and effect until such time as the parties modify or cancel this Agreement in writing.





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## Improving Trust and Accountability



- ✓ **Improving implicit bias training** (HB 2355)
- ✓ **Supporting anti-profiling policies** (HB 2002)
- ✓ **Helping to establish bodycam guidelines** (HB 2571)
- ✓ **Preserving Oregonians' ability to film officers** (HB 2704)
- ✓ **Support better mental health services** (HB 2825)
- ✓ **Resources for young people experiencing homelessness** (HB 2232)
- ✓ **Officer wellness services and screening** (SB 507 / SB 423 / SB 424)
- ✗ **NOT by breaking existing agreements**





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Prepared for  
**Oregon Coalition of Police and Sheriffs**  
[www.ORGOPS.org](http://www.ORGOPS.org)

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