

***CANBY UTILITY
REGULAR BOARD MEETING
DECEMBER 13, 2022
7:00 P.M.***

AGENDA

The Board of Directors and staff have resumed in-person meetings. The public is invited to attend the meeting virtually or in person at Canby Utility's office.

- I. CALL TO ORDER
- II. AGENDA
 - Additions, Deletions or Corrections to the Meeting Agenda
- III. CONSENT AGENDA
 - Approval of Agenda
 - Approval of Regular Board Meeting and Executive Session Minutes of November 8, 2022, and Work Session Minutes of November 29, 2022 (pp. 1-16)
 - Approval of Write-Offs
 - Approval of Payment of Water and Electric Bills
- IV. CITIZEN INPUT ON NON-AGENDA ITEMS *Citizen's wanting to speak virtually, please email or call the Board Secretary-Clerk by 4:30 p.m. on December 13, 2022 with your name, the topic you would like to speak on, and contact information: bbenson@canbyutility.org or 503-263-4312.*
- V. AUDIT REPORT for Fiscal Year Ended June 30, 2022 – Introduction by Carol Sullivan, General Manager. Presentation and Review by Julie Desimone, Moss Adams, LLC (pg. 17 plus Separate Item)
- VI. RECOMMENDATION Approve Memorandum of Understanding with the International Brotherhood of Electrical Workers for a 4-10 Work Week – Barbara Benson, Human Resources/Administration Manager (pp. 18-20)
- VII. BOARD REPORT
 - Chair Comments
 - Board Member Comments
- VIII. STAFF REPORTS
General Manager Updates
- IX. ADJOURN

***CANBY UTILITY
REGULAR BOARD MEETING MINUTES
NOVEMBER 8, 2022***

Board Present: Chair Thompson; Members Hill, Horrax, and Molamphy

Staff Present: Carol Sullivan, General Manager; Barbara Benson, Board Secretary; Jason Berning, Operations Manager; Cindy Dittmar, Customer Service Supervisor; and Jason Peterson, Operations Field Supervisor

Others Present: Joe Brennan

Chair Thompson called the Regular Board Meeting to order at 7:00 p.m.

Chair Thompson presented the meeting agenda for consideration. She asked for any additions, deletions, or corrections to the meeting agenda, and there were none.

Chair Thompson presented the consent agenda for approval. Member Molamphy made the *MOTION to approve the consent agenda, consisting of the meeting agenda, regular meeting minutes of October 11, 2022, write-offs in the amount of \$774.64, payment of the electric and water department bills in the amount of \$1,016,390.17. Member Hill seconded, and the motion passed unanimously.

Chair Thompson asked for citizen input on non-agenda items, and there was none.

Human Resources/Administration Manager Barbara Benson presented a resolution to update Canby Utility's banking services for the Share the Warmth bill assistance program that will move the existing account to another banking institution. Benson explained the issues staff has faced in updating the key users and signature authority on the account. Canby Utility has complied with all requests for documentation and approvals; however, after submitting the information, they continued to request more documents. As a result of these challenges, staff reached out to Columbia Bank, which services all of Canby Utility's other banking accounts. Columbia Bank only needs the Board to approve a resolution authorizing the opening of the account and the designated signers. Moving this account to Columbia Bank will also improve operations so that staff only needs to go to one bank for all of Canby Utility's business. After a brief discussion, Member Molamphy made the *MOTION to adopt Resolution No. 311, updating the Canby Utility Board's banking services for the Share the Warmth bill assistance program. Member Horrax seconded, and the motion passed 4 to 0.

Chair Thompson said that she had not heard anything from the City of Canby on the recruitment to fill the vacancy on the Board. Board Secretary Barb Benson added that their website does not show the vacancy and that she could contact them to see if they advertised the opening.

Member Molamphy asked about planning to fund the future water treatment plant construction. Operations Manager Jason Berning shared that a meeting was held that day on the Water Master Plan update progress, and that topic came up in discussion. The updated plan will drive the new treatment plant's timeline. Berning shared that the cities of Wilsonville and Lake Oswego built new water treatment plants, which may be an excellent resource for information. The final draft of the Master Plan is expected in February. Chair Thompson also asked about the water system development charge updates. General Manager Carol Sullivan confirmed that the system development charges are updated annually, and a discussion ensued.

Customer Service Supervisor Cindy Dittmar presented an update on the Red Flag Rules. The staff has not experienced any incidents of identity theft. Dittmar talked briefly about the training on the Red Flag Rules, and that staff is diligent in ensuring compliance in their daily practices.

Human Resources/Administration Manager Barbara Benson gave an update on the four 10-hour workweek schedule. She stated that staff plans to bring back a revised Memorandum of Understanding (MOU) between Canby Utility and IBEW Local 125 next month for the Board's consideration. The recommendation to continue the schedule was partly based on an employee survey. Benson shared some of the employee's responses to the survey. She also reviewed the outage and overtime impacts due to the schedule change. Two outages occurred on a Friday during regular work hours, resulting in overtime that would not have happened if the office had been open on Fridays. The cost of that overtime was \$762.25. All other outages were outside of regular operating hours. She also compared employee absences that resulted in a decrease in leave taken under the new schedule. Benson said that staff could not compare the costs of closing the facility an extra day since we need more data for the comparison. The operations department moved to the new facility December last year. Customer Service Supervisor Cindy Dittmar reported that the customers had expressed their support for the new schedule. She has received one complaint. Customers are utilizing the extended hours of operation by coming in early and later. Operations Manager Jason Berning stated that outages and emergency locates have occurred during the extended hours resulting in reduced after-hours call-outs. Benson noted that Canby Utility would be in negotiations with the IBEW union next spring, and this MOU agreement, if approved, will expire on June 30, 2023. The Board appreciated the data presented and agreed that staff should bring the MOU to the Board in December for approval.

Benson also reported on the upcoming employee recognition event, scheduled for December 3 at the Willamette Valley Country Club. Benson reviewed the planned activities for the evening.

Benson also reported that the Board would have an anti-harassment and non-discrimination training workshop on Tuesday, November 29, at 3:00 p.m. The training will be virtual, but the boardroom will be open to any members of the public that want to attend. City/County Insurance Services will provide the training at no cost.

General Manager Carol Sullivan presented the fourth-quarter Executive Financial Summary. Sullivan reviewed the profit resulting from operations and capital contributions for the fiscal year

ending June 30, 2022. The electric operating profit was \$1,384,529, plus capital contributions of \$1,289,341, for a total net income of \$2,673,870. The water operating profit was \$511,641, plus the capital contributions of \$2,454,337, for a total net income of \$2,965,978.

Sullivan then compared the operations with capital contributions to the budget. The electric fund's net income was over budget by \$719,799. The year-to-date operating revenue is \$243,878 under budget, mainly due to less residential and industrial sales. The operating expenses are \$857,026 under budget, mainly due to vacant positions, staff turnover, depreciation, lower BPA conservation payments, and more labor capitalization. The capital contributions are \$134,399 over budget due to more hook-ups and infrastructure contributed by contractors. The change in net assets is \$719,799 over budget, mainly due to less operating expenses.

The water fund was over budget by \$889,946. The year-to-date operating revenue is \$155,778 over budget, mainly due to higher residential and multi-family sales. The total operating expenses are \$154,114 under budget, mainly due to vacant positions, staff turnover, and labor capitalization. The capital contributions are \$519,937 over budget, mainly due to contributions of infrastructure by developers and system development charges. The change in net assets is \$889,946 over budget, mainly due to contributed capital, higher sales, and lower expenses.

Sullivan then reviewed the cash reserves summary. This summary compares Canby Utility's current cash reserves to the year-end target for June 30, 2022. The electric reserves are under the target by \$138,565. The water reserves are over the target by \$1,451,937. Discussion ensued regarding being over and under target, Canby's newly annexed Area J, and impacts anticipated with the rising interest rates and construction curtailing.

Sullivan reported that staff attended a meeting with members from the Canby Rotary, Canby Fire, and Direct Link to discuss their emergency response vehicle project to provide the community with a place to charge phones and contact loved ones in the event of an emergency.

Sullivan said she had attended Zoom meetings for the Molalla River Association, the Oregon Water Utility Council, and the Oregon Municipal Electric Utilities.

On October 26, the Oregon Health Authority was on site to conduct the water system survey. This survey occurs every three years. Staff is continuing to provide information to them on water loss information.

Member Molamphy made the *MOTION to go into Executive Session according to ORS 192.660(2)(i) to discuss the performance of a public employee. Member Hill seconded, and the motion passed 4-0.

The regular meeting recessed at 7:37 p.m.

The regular meeting reconvened at 8:10 p.m.

Canby Utility
Regular Board Meeting Minutes
November 8, 2022
Page 4 of 4

Discussion ensued regarding the status of the exempt employee salary study that was tabled in July 2021.

Member Hill made the *MOTION to adjourn the meeting. Member Horrax seconded, and the motion passed unanimously.

There being no further business, the meeting adjourned at 8:15 p.m.

Melody Thompson, Chair

David Horrax, Member

Robert Hill, Member

John Molamphy, Member

Vacant

Barbara Benson, Board Secretary

***CANBY UTILITY
EXECUTIVE SESSION MINUTES
NOVEMBER 8, 2022***

Board Present: Chair Thompson; Members Hill, Horrax, and Molamphy

Staff Present: Carol Sullivan, General Manager

The Executive Session was opened at 7:37 p.m. by Chair Thompson, in the Conference Room of the Canby Utility Board office, pursuant to ORS 192.660(2) (i) for the purpose of discussing performance of a public employee.

There being no further business, the Executive Session adjourned at 8:10 p.m.

Melody Thompson, Chair

David Horrax, Member

Robert Hill, Member

John Molamphy, Member

Vacant

Barbara Benson, Board Secretary

***CANBY UTILITY
BOARD WORK SESSION MINUTES
NOVEMBER 29, 2022***

The Board of Directors work session was held virtually. The public was invited to attend the meeting virtually or in-person at Canby Utility's office.

Board Present: Chair Thompson; Members Hill, Horrax, and Molamphy

Staff Present: Carol Sullivan, General Manager; Barbara Benson, Board Secretary

Others Present: Tamara Russell, Deputy General Counsel, City/County Insurance Services

Chair Thompson called the Work Session to order at 3:00 p.m.

Tamara Russell, Deputy General Counsel for City/County Insurance Services provided training for the board members on public official discrimination and harassment.

Member Molamphy made the *MOTION to adjourn the meeting. Member Hill seconded, and the motion passed unanimously.

There being no further business, the meeting adjourned at 4:03 p.m.

A copy of the presentation is attached for reference.

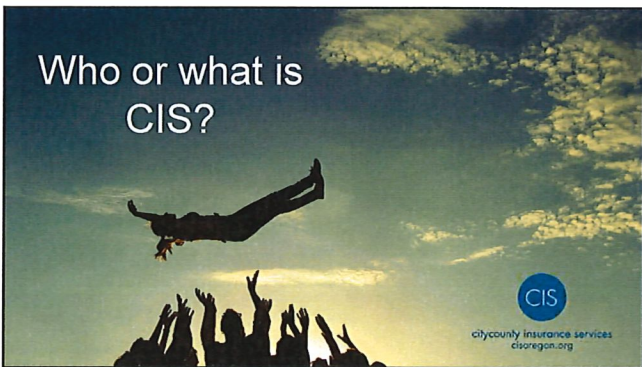
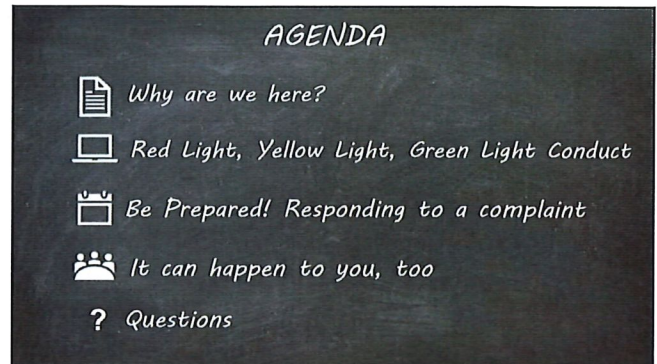
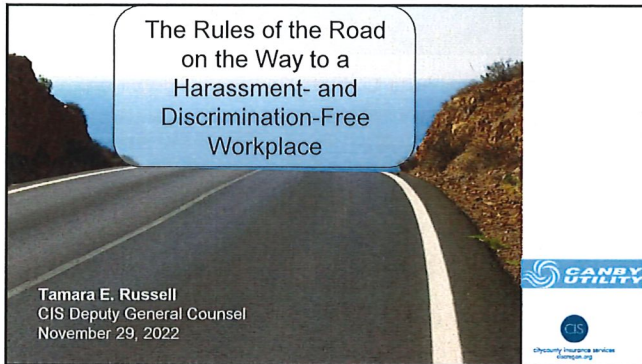
Melody Thompson, Chair

David Horrax, Member

Robert Hill, Member

John Molamphy, Member

Barbara Benson, Board Secretary



Legal Reasons for Training

Canby Utility is *legally* responsible for the acts of:

- Its supervisors and managers, *as well as elected officials*
- Co-workers behaving badly (if CU knew or should have known about the bad behavior and failed to fix the problem)
- Residents/customers, vendors, and other outsiders who interact with CU employees as part of the employees' jobs

CIS
citycounty insurance services
disoregon.org

Common Claims Against Public Officials

1. Employment decisions: termination, layoff
2. Defamation: (or, explaining how a particular manager is a horrible, corrupt person and you had to fire him/her on your first day)
3. Causing a "hostile work environment" for staff: (or, doing the General Manager's job instead of yours)
 - Usually outside the scope of your authority
4. Failure to provide due process when terminating

CIS
citycounty insurance services
disoregon.org

Common Claims Against Public Officials

5. Removing disruptive citizens without a lawful basis to do so
6. Open meetings laws/Executive Sessions - violations
7. Using office for personal gain
 - Harassing parking enforcement employee
8. Actions relating to land-use and zoning
9. Conflict of interest claims



Claims Against Elected Officials - Coverage

CIS General and Auto Liability Coverage Agreement

Coverage exists for CU's "officers, employees and agents including volunteers, authorized to act on behalf of [CU], all acting within the scope of their employment or duties whether arising out of a governmental or proprietary function."

ORS 30.265

("every public body is subject to civil action for its torts and those of its officers, employees and agents acting within the scope of their employment or duties, . . . arising out of a governmental or proprietary function . . .")



What is the Pre-Loss Consultation Requirement?

There is a \$15,000 deductible on any claim arising out of termination or suspension of employment.

The deductible is waived if the member has consulted with a Pre-Loss attorney **before** the termination or suspension and has **followed all the Pre-Loss Attorney's reasonable advice.**

Call Pre-Loss for:

- Suspensions
- Terminations
- Discipline and the steps leading up

Pre-Loss is happy to help with lower-level discipline and non-disciplinary issues (medical leaves, accommodations) as well.



Where does this conduct fall on the spectrum?

- Giving an employee a hug on a bad day
- Complimenting a female employee for her driving
- Calling someone a nickname
- Telling jokes about your own religion or race



Where does this conduct fall on the spectrum?

- Giving an employee a gift after he/she helped you out
- Complimenting an employee on recent weight loss
- Forwarding incriminating photos of an employee to others via text, email, or the internet





Protected Classes: Who You Are

- Race
- Color
- National origin
- Sex
- Pregnancy
- Religion
- Disability
- Age (over 18 in Oregon)
- Marital status
- Family relationship
- Injured worker (WC)
- Sexual orientation
- Gender identity (includes gender expression)
- Genetic background

Protected Classes: What You Did/Do

- Served in the military
- Used protected leave (sick leave, military, family, legislative, bone marrow, jury duty)
- Associated with a member of a protected class
- Had your wages garnished
- Expunged juvenile record
- Filed bankruptcy
- Testified in criminal or civil proceedings
- Used tobacco in off duty hours

What is unlawful Discrimination?

1. Treating someone differently because of protected status
2. Harassment
3. Retaliation

Let's Talk

Different Treatment Because of Protected Status

Examples of National Origin Discrimination

- Refusing to hire someone because of their thick foreign accent.*
- Blaming an employee's poor performance on a cultural stereotype.



When Can "Discrimination" Occur?

Federal and Oregon law prohibits discrimination in:

- Recruiting/Hiring
- Compensation
- Benefits
- Terms or conditions of employment
 - Includes trainings, advancement opportunities
 - Includes exclusionary invitations (business-social invitations that are not inclusive of all employees)
- Termination (includes "constructive" discharge)



Other Examples of Discrimination

- Age:
 - Not giving an assignment because the person is perceived to be close to retirement.
 - Making accommodation because of the employee's age – "be more careful."
- Sex:
 - Refusing to promote a woman because she's pregnant and won't be able to travel when the baby comes.
 - Sex-specific dress codes.



Let's Talk

Harassment



What is a "Hostile Work Environment"?

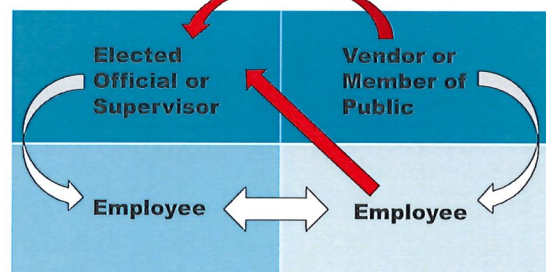
Harassment violates the law, and creates a "hostile work environment," if it involves:

- Discriminatory treatment on the basis of
 - Any **protected class status**; or
 - Any **protected activity** under the anti-discrimination or other employment law statutes



Harassment can be...

But what about...



What is a "Hostile Work Environment"?

- The law does not prohibit simple teasing or offhand comments – this is not a "civility code"
- The conduct must be **so objectively offensive** as to alter the conditions of the victim's employment
 - The conditions of employment are altered only if the harassment (based on protected class status):
 - Culminated in a tangible employment action; or
 - Was **sufficiently severe or pervasive** to create a hostile work environment



True or False?

My joke was "off color," but no one complained about it and everyone laughed.

I didn't violate my employer's policy or the law.

FALSE



What is "Racial Harassment"?

Verbal or physical conduct based on an individual's race or color that creates an intimidating, hostile or offensive working environment or interferes with work performance

Examples:

- Using derogatory names, offensive or derogatory comments
- Ethnic slurs or relying on cultural, ethnic, or racial stereotypes
- Racial "jokes"

Note: If the joke is **so** good, will you enjoy repeating it to management, plaintiff's counsel, a jury...?



Other Examples of Illegal Harassment

- Sexual orientation
 - Homophobic jokes or slurs, comments about mannerisms or sexual activity
- Gender identity or expression
 - Comments about their clothes or the way they style their hair
 - Not using correct names or pronouns
 - Gender-specific dress codes
- Harassment related any protected class/activity!



What is "Sexual Harassment"?

1. "Quid pro quo"

- When submission to sexual demands is a term or condition of employment (or when refusing sexual demands is a basis for employment decisions)
- Offers to give employment benefits or let an employee keep them in exchange for sexual favors
- One single event is enough
- Canby Utility policy: Sexual harassment includes verbal comments, gestures or physical contact of a sexual nature which is not freely and mutually agreeable to both parties.



What is "Sexual Harassment"?

2. A "hostile work environment":

- Unwelcome sexual advances
- Visual or verbal or physical conduct of a sexual nature

Example: Name-calling or other harassment of women because they are women can be sexual harassment



What the Cases Teach Us

- Sexual harassment can be a legal violation long before the conduct affects psychological well being
- Different people can have very different views of the conduct that may constitute sexual harassment — one person's teasing can be another person's "torment"
- It does not depend on the gender of the participants (men can unlawfully harass men)



Let's Talk

Retaliation



Retaliation: Also Illegal Discrimination

- **What:** A bad employment action happens (termination, demotion, etc.)
- **Why:** Because the employee has:
 - Made a good-faith complaint about discrimination, unequal pay, harassment, gross mismanagement of CU funds, or some other unlawful conduct; OR
 - Filed a grievance, talked to a lawyer, filed a complaint with BOLI/EEOC or OSHA, or filed a workers' compensation complaint; OR
 - Took sick leave, OFLA/FMLA leave, etc.



Bullying and Micro-Aggressions



What is Bullying?

- Actions that are
 - Repeated or serious
 - Unreasonable or unwarranted
- Directed at
 - An individual or group (typically weaker or defenseless)
- If they
 - Are intended to intimidate, offend, humiliate, or degrade or
 - Create a risk to safety and/or mental or physical health



Examples of Bullying

- Verbal abuse
- Nonverbal abuse
- Making fun of someone
- Name calling
- Practical jokes (directed at one person)
- Malicious gossip
- Sabotage
- Threats (any kind)



What ISN'T bullying?

- Having high work standards for everyone
- Having high expectations for everyone
- Enforcing deadline requirements for everyone
- Keeping work and workers on time for everyone
- Tracking attendance for everyone
- Enforcing the rules for everyone
 - Holding people accountable



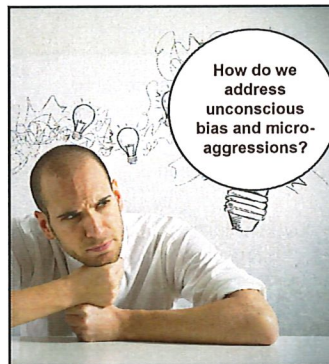
Micro-Aggressions – The Working Definitions

- Everyday verbal or nonverbal slights, snubs, and insults, which communicate hostile, derogatory, or negative messages to members of non-dominant groups by members of a dominant group.
- Can be intentional, but are often unintentional



What do micro-aggressions look like?

- Micro-aggression: "No, where are you *really* from?"
- Micro-aggression: A co-worker uses the term "gay" or "retarded" to describe something he doesn't like. Being gay is associated with negative and undesirable characteristics.



- Become aware.
- Encourage discussion.
- Listen and respond appropriately to your employees' experiences.

Professional Conduct



Professionalism in the Workplace

- Treat others with respect.
- Think before you act, speak, and write that email.
- Don't impose your values on others.
- Model appropriate behavior.
- Follow and enforce Canby Utility's policies.



Communication Tricks

- Ask for clarification on statements that you don't understand.
- Listen to and acknowledge the concerns of others.
- Verbalize your concerns and boundaries in a constructive way.
- Report conduct that you think may violate one of Canby Utility's policies.



Canby Utility's Non-Discrimination and Anti-Harassment Policies (Procedure 500)

Policy



Preventing Discrimination and Harassment

- As a member of Canby Utility's BOD, you must become familiar with and enforce Canby Utility's anti-harassment and non-discrimination policy.
- Set a good example by engaging in professional, respectful behavior.
- Learn to identify when an employee is raising a concern or making a complaint and understand what to do to address it (even if it is a rumor).



Reporting Discrimination and Harassment

- CU policy encourages employees to report – as soon as they believe there is an issue - potential violations of its anti-harassment and no-discrimination policies
 - To the HR/Administration Manager or General Manager
 - To the Chair of the BOD if the complaint relates to the GM
- As a member of the BOD, you may also receive a complaint. What should YOU do?



Be Prepared!

As a member of the Canby Utility BOD, you need to know what to do if an employee comes to you to talk about a "hostile work environment", being treated "unfairly" and other similar complaints.

- Listen and express appreciation for coming forward!
- Direct employee to HR or General Manager;
- Report to the Human Resources ASAP; and
- Maintain confidentiality.

Remember: Retaliation is prohibited!



More From Canby Utility's Policy

We believe that all of our employees, volunteers, interns and public officials have an affirmative obligation to promptly report violations of our policy and cooperate with investigations.



Reporting Obligations

Canby Utility employees, volunteers, interns and public officials should report:

- policy violations that are personal
- policy violations that they observe
- policy violations that they did not observe, but about which they have credible information

Bottom Line: Canby Utility wants to know.



Question!

- What if the report is from a former employee?
- What if I hear about alleged harassment or discrimination from a resident who heard about it from someone else?



Why Confidentiality is Critical!



- General obligation to keep personnel information confidential – failure to do so can result in claims
- Failure to keep reports confidential may keep other employees from coming forward
- Foot-in-mouth consequences



What Happens When a Complaint is Made?

- Canby Utility is required to investigate complaints and reports of harassment
- A typical complaint investigation may include:
 - Interviews with the persons involved (including the accused and witnesses)
 - Reviews of documents, files, printed material
 - A decision-making process to determine if the complaint or report is substantiated
 - A decision-making process to determine if discipline or corrective action is warranted



What Kind of Discipline Occurs?

- If a complaint of harassment or discrimination is substantiated:
 - The law requires discipline to ensure that the misconduct will not be repeated.
 - If the misconduct is severe, or repeated, termination is likely.



Questions?

"... you can either ask the question or experience the answer ..."

- Author unknown



Thank you,
Canby Utility!



Pre-Loss Attorneys

Tamara E. Russell Deputy General Counsel	trussell@cisoregon.org 503-763-3845
Katie Kammer Senior Pre-Loss Employment Attorney	kkammer@cisoregon.org 503-763-3860
Cindy Lin Pre-Loss Employment Attorney	clin@cisoregon.org 503-763-3866



Canby Insurance Services
canbyins.com



MEMORANDUM

December 8, 2022

TO: Chair Thompson, Member Hill, Member Horrax, and Member Molamphy

FROM: Carol Sullivan, General Manager

SUBJECT: Audit Report Fiscal Year End June 30, 2022

Our auditors, Moss Adams LLP Certified Public Accountants and Business Consultants, have completed Canby Utility's annual audit for the fiscal year ended June 30, 2022. Moss Adams has been performing our audit since 2015. This year we continued our positive working relationship and completed the audit on site. Canby Utility received an unmodified or clean opinion, the highest form of assurance. Included with the audit is the Communications with Those Charged with Governance.

Julie Desimone from Moss Adams will present the audit at the board meeting. Julie will be able to answer any questions you may have.



MEMORANDUM

December 8, 2022

TO: Chair Thompson; Members Hill, Horrax, and Molamphy

FROM: Barbara Benson, Human Resources/Administration Manager

SUBJECT: Recommendation to Approve Memorandum of Understanding with the
IBEW Local 125 to extend the 4/10 Workweek Schedule

Suggested Motion: I move to authorize the General Manager to sign the Memorandum of Understanding with the International Brotherhood of Electrical Workers, Local 125, for the Office and Water Workers and Electric Workers, extending the 4/10 Workweek schedule until June 30, 2023.

Background: Last month, staff presented to the Board the results of an employee survey and the impacts of changing from a 5/8 workweek to a 4/10 workweek with favorable outcomes. Canby Utility and the IBEW are in agreement to extend the new schedule until the collective bargaining agreement expires, June 30, 2023.

Attached is the draft of the Memorandum of Understanding.

We will be available to answer questions you may have.

MEMORANDUM OF UNDERSTANDING

BETWEEN

CANBY UTILITY BOARD and I.B.E.W. LOCAL UNION NO. 125

Schedule Change

Electrical Unit

Office and Water Unit

This Memorandum of Understanding is entered into by and between the Canby Utility Board (Board) and I.B.E.W. Local Union No. 125 (Union) and is for both bargaining units: Electrical and Office & Water (O&W).

Whereas, the parties desire to extend a schedule change until the end of the current collective bargaining agreement, June 30, 2023. Currently, employees have been working a 4/10 schedule, using four (4) workdays and 10-hour shifts on a trial period to provide time for evaluating the ability to meet operational and business needs and receive employee input.

Whereas, an employee survey was distributed and the consensus was to continue the 4/10 schedule, and operational and business needs are being met.

Now therefore, it is hereby agreed by and between the parties as follows:

1. This agreement will expire on June 30, 2023, when both bargaining unit's collective bargaining agreements expire.
2. The work schedule for all bargaining unit employees will be a 4/10 schedule. Workdays are Monday through Thursday with 10-hour shifts up to June 30, 2023.
3. Hours of work for all staff, except Mechanic/Utility Worker, will be from 7:00 a.m. to 5:30 p.m. with a 30-minute unpaid meal period taken consistent with the Collective Bargaining Agreement conditions and Bureau of Labor and Industry's rules. Specifically for the Mechanic/Utility Worker position, hours of work will be from 6:00 a.m. to 4:30 p.m.
4. Daily overtime thresholds, as found in Article 9.1 for both units, will be suspended. During the period of this agreement, work in excess of ten (10) hours per day will be paid as overtime.
5. Pay Days. As provided by Article 9.5 (Electrical) and Article 9.4 (O&W), pay days for the duration of the agreement will be moved to the 7th and 22nd of the month.
6. Working Out of Class: As provided by Article 9.6 (Electrical) and Article 9.5 (O&W), the four (4) hour threshold will be suspended, and during the trial period, the threshold will be five (5) hours when calculating eligibility for Out of Class compensation.
7. The Day After Thanksgiving, as found in Article 10 (both units), will not be recognized or compensated.

The Personal Day (1.5), as found in Article 10.3 (both units), will not be recognized nor compensated in the Fiscal Year 2022-2023.

8. During the trial period, Article 10.2 (both units) will be modified as follows:
"Whenever one of the holidays set forth above falls during an employee's vacation, such employee shall be entitled to one (1) additional day of vacation or the pay thereof. In the event a holiday should fall on a Saturday, the holiday will be observed on that day as a day off, and employees will accrue ten (10) hours of Personal Leave, as identified in Article 10.3 (both units). If a holiday should fall on a Friday, the preceding Thursday shall be observed as the holiday and should a holiday fall on a Sunday, then the following Monday shall be observed as the holiday, however, should Christmas Eve fall on a Sunday, the holiday will be observed that day as a day off, and employees will accrue ten (10) hours of Personal Leave, as identified in Article 10.3 (both units). These provisions do not preclude the right to assign overtime for operational needs.
9. This agreement does not change sick leave, vacation, or any other accruals in the existing Collective Bargaining Agreements unless expressly stated in this agreement.
10. This agreement does not set precedent or existing conditions.
11. This agreement may not be extended, and the only continuation of a 4/10 schedule must be a result of reaching a new mutual written agreement.
12. Disputes between the parties arising from this agreement are exclusively limited to the grievance process of the Collective Bargaining Agreements, respectively.
13. This agreement does not require ratification and is effective upon signature below.

Upon execution, this day _____, December 2022.

FOR THE UNION:

FOR CANBY UTILITY BOARD

Tim Titus
Business Representative

Carol Sullivan
General Manager

DATE: _____

DATE: _____