

**MEMORANDUM OF AGREEMENT (MOA)**

**By and Between the**

**City of Salem (City)**

**And the**

**American Federation of State County and**

**Municipal Employees Local 2067 (Union)**

**Statement of Intent**

This Memorandum of Agreement (the MOA) is entered into by the City and the Union to address operational needs of the City in having lead workers to organize and administer work on site, and the needs of the Union in having workers compensated appropriately for taking on additional duties and responsibilities.

**Duties of Lead Worker Defined**

A Lead Worker assignment involves certain limited oversight and administrative duties which are not significant enough to warrant a separate classification. Lead Workers follow established guidelines while performing their duties or directing staff. These duties include but are not limited to: arranging and organizing work assignments for other employees; prioritizing, directing, and reviewing other's work; and ensuring employee performance and behavior align with standards and rules.

Lead Workers will make progress and personnel reports as required by their supervisor. Lead Workers shall spend a substantial portion of their time (fifty percent (50%) or more) performing the duties within their assigned classification. Normally, employees directed by a Lead Worker are in the same classification family, however additional classifications are sometimes required to complete work assignments.

An employee assigned to be a Lead Worker will not impose or effectively recommend (as that term is defined in Oregon law) formal discipline (i.e. written reprimands, economic sanctions and so forth). Lead Workers shall not issue oral reprimands. Lead Workers shall not be present when discipline is issued to other employees. Lead Workers shall not prepare or issue performance evaluations – but they may provide informal assessments of workers' performance to the supervisor. Lead Workers will not approve timesheets, authorize time off or overtime, create work schedules, adjust work schedules, or issue schedule changes.

The Lead Work incentive shall not apply for voluntary training and development purposes. Lead Work will only apply when leading three (3) or more staff.

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### **Incentive Pay**

An employee who is chosen and assigned as a Lead Worker will receive a memo outlining expectations and duties for the Lead Work assignment. This memo will include notification and affirmation that the employee will receive a five percent (5%) incentive above their current salary step for all hours worked during their Lead Work assignment. In addition to the Lead Worker designation memo, a Personnel Action (PA) form must be completed and submitted to HR.

### **Assignment, Selection, Modification, and Termination**

Assignment and selection of a Lead Worker shall be at the sole discretion of the City. A Lead Worker assignment expected to last longer than sixty (60) continuous days will be posted in the affected work unit for no less than five (5) workdays prior to the assignment and selection of the Lead Worker. Lead Worker assignments shall be reposted at least on an annual basis.

Any employee in the affected work unit that is interested in the Lead Work assignment must submit a letter of interest to the unit manager in order to be considered for the Lead Work assignment. The unit manager will forward all such letters of interest to the Human Resources Department for proper record keeping. Candidates for the Lead Work assignment must go through an internal interview process to be considered for the Lead Worker assignment.

A Lead Work assignment will be for a duration no longer than one (1) year per assignment. An employee on a Lead Work assignment is entitled to ten (10) days' notice prior to the termination of the Lead Worker assignment. A copy of the assignment termination notice will be simultaneously given to the Union. All Lead Worker assignments will be reviewed for continuation at least annually.

The City has sole discretion to create, add, or remove Lead Worker assignments to or from work units. Lead Work assignments may be ongoing, or may be for temporary or short term durations. Lead Work assignments may be part of ongoing day to day operations, or may arise to meet emergent needs based on special projects or assignments.

### **Employee Appeal for Review of Duties**

If an employee believes that they are performing duties that meet the criteria for a Lead Worker as expressed above, but has not been formally assigned to those duties in writing, they shall notify either their supervisor or the Human Resources Department in writing (email is sufficient). The City will review the employee's work duties within fifteen (15) workdays of the written notification. If the City determines that the employee has been performing leadwork duties, the City shall grant the employee the five percent (5%) Lead Work incentive, retroactive to the date the employee provided written notice of the issue.

In the event that the City determines that Lead Work duties had been assigned but should not be continued, the City may relieve the employee of the leadwork duties during this fifteen (15) working day review period. Incentive pay will be owed for those days Lead Work duties were performed from the date of notice to the date the assignment is discontinued.

In the event that the City concludes that the duties the employee is performing do not qualify as Lead Work, the City shall notify the employee in writing within fifteen (15) workdays from receipt of the employee's notification to the City.

**Exclusions**

The Lead Work incentive does not apply to specific classifications for which lead work, or shift lead duties are an anticipated part of the classification's regular duties.

**Expiration**

Unless renewed by the parties, this MOA shall expire on June 30, 2027.

DocuSigned by:  
*Krishna Namburi* 8/16/2024  
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Krishna Namburi, Date  
Deputy City Manager/Enterprise Services Director

Signed by:  
*Rolando Figueroa* 8/19/2024  
8CAB378E936641C...

Rolando Figueroa, AFSCME Council Rep Date

Signed by:  
*Steve Hall* 8/19/2024  
23127E400472475...

Steve Hall, AFSCME President Date