

MEMORANDUM OF UNDERSTANDING
Between
WASHINGTON COUNTY
And
FEDERATION OF OREGON PAROLE AND PROBATION OFFICERS

Washington County (“County”) and the Federation of Oregon Parole and Probation Officers (“Union”) are parties to a collective bargaining agreement (CBA) currently in effect through June 30, 2022.

It is the County’s position that the provisions of County Policy T-315, Covid-19 Risk and Protection Framework, Section 2) Covid-19 Vaccinations, applies to employees receiving vaccination incentive pay since the County has determined that it is inappropriate to pay overtime to any employees for time spent receiving the Covid-19 vaccine during their regularly scheduled work time; and

The County acknowledges that misrepresentations may have been made regarding the allowance of overtime pay for Union employees utilizing the County’s Covid-19 Vaccinations incentive on January 18, 2021; and

The County and Union have entered into this Memorandum of Understanding (MOU) on the date below for the purpose of effecting a one-time, non-precedent setting, settlement agreement related to the recent County overtime payment allowed for employees receiving the Covid-19 Vaccinations on January 18, 2021; and

In consideration of the mutual benefit to each of the parties, the County and Union agree as follows:

1. County and Union agree that the provisions of County Policy T-315 Covid-19 Risk and Protection Framework Policy, Section 2 - Covid-19 Vaccinations, was not applied appropriately to the Union vaccination events that occurred on Monday, January 18, 2021.
2. County and Union agree that the no overtime provisions in Section 2 of the County Policy T-315, Covid-19 Risk and Protection Framework, apply to FOPPO represented employees.
3. Based on certain mistaken representations, the County and Union agree in good faith to the following on a one-time basis which Union agrees shall not be raised as or relied upon as establishing any future precedent:
 - Some Union employees working in Probation and Parole and may have received overtime pay for two hours worked, if they were scheduled and received their Covid-19 vaccine on Monday, January 18, 2021 and worked an additional 80 hours within the pay period.

- County and Union agree that County will not contest or seek to recover any overtime payments made to Union employees as a result of the misapplication of County Policy T-315 Covid-19 Risk and Protection Framework Policy on January 18, 2021.
4. County and Union agree that for any future instances of employees utilizing the Covid-19 Vaccination incentive, the use of the incentive time off and pay will not be counted as time worked and included in calculating overtime pay for all employees, including all Union employees.

Agreed on this __ day of March, 2021.

WASHINGTON COUNTY

FEDERATION OF OREGON PAROLE
AND PROBATION OFFICERS

//Signature on file 3/29/2021//
By Deputy Administrative Officer

//Signature on file 3/23/2021//
By Union President