

January 30, 1995

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OREGON PUBLIC
EMPLOYEES UNION

Oregon

Gary Cates, Union Organizer
Oregon Public Employees Union
P.O. Box 12159
Salem, OR 97309

DEPARTMENT
ADMINISTRATIVE
SERVICES

LABOR RELATIONS
DIVISION

Re: *Article 51 - Limited duration Appointment, Section 3 - Language Clarification*

Dear Gary:

This is to confirm both parties' agreement regarding the application of Article 51, Section 3, language which states, "Those persons who accept a limited duration appointment who were formerly classified state employees are entitled to rights under the layoff procedure (Article 70) starting from the prior class within the new agency."

Specifically, the parties agree as follows:

1. If there is no prior class within the new agency, the limited duration employee is out of a job. Such employee has no layoff or recall entitlement.
2. A. If there is a prior class within the new agency, the limited duration employee may displace the employee in the agency with the lowest seniority in the prior classification in the same geographic area where the layoff occurs.

B. If the limited duration employee does not have sufficient seniority to bump anyone, he or she has the option of demoting to the lowest seniority position in any classification for which he/she is qualified within the agency and geographic area or electing to be laid off. An employee selecting either option shall be placed on any geographic area layoff list of his/her choice within the agency for the prior class.

C. If the prior class does not exist in the same geographic area, the limited duration employee would have the same options as described in B above.
3. References to geographic area means as defined in Arts. 70.1-70.6.



155 Cottage Street
Salem, OR 97310
(503) 378-3141
FAX (503) 373-75
TDD (503) 378-46

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4. In no instance will a limited duration employee be allowed more than one choice/option.
5. A limited duration employee cannot bump anyone in the same class as their limited duration position. *Unless the employee laterally transferred into the limited duration position.*
6. Limited duration employees who are laid off will be eligible for secondary recall consideration.
7. All references to prior class assumes any successor class resulting from the implementation of the new classification system in 1992.

Please sign below to confirm OPEU's agreement with the above interpretation. If I've missed anything or you have questions/concerns, please let me know. Otherwise, Labor Relations Division will look forward to receiving a signed copy at your earliest convenience.

Thank you.

Sincerely,

C. Schuh

Cathy R. Schuh
Labor Relations Manager
Labor Relations Division

Gary Cates 2/7/95
FOR OPEU DATE

CRS:imb

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copy to Lee same date