

LETTER OF AGREEMENT

This is a Letter of Agreement (LOA) between Metro (“Employer”) and AFSCME Local 3580, ILWU Local 28, LiUNA Local 483 and IATSE Local 28 (“Unions”) regarding Hazard Time during the COVID-19 Pandemic.

RECITALS

- A. Employer and Unions are parties to existing collective bargaining agreements;
- B. On March 8, 2020, Oregon Governor Kate Brown declared a State of Emergency in response to the COVID-19 (Coronavirus) pandemic, which has resulted in unforeseen impacts on Employer’s operations, finances and workforce;
- C. On April 2, 2020, Metro Chief Operating Officer declared a State of Emergency as a result of the COVID-19 pandemic in Resolution No. 20-5096;
- D. Employer and Unions share a mutual interest to support Employer’s operations, finances and workforce during these uncertain times;
- E. The parties hereby agree to the following for Hazard Time continuation, in light of the COVID-19 pandemic:

AGREEMENT

The parties stipulate and agree as follows:

1. **Tiers of Eligibility:** Each employee will be placed in a tier of eligibility for hazard time based on their work requirements, according to the following schedule:
 - Tier A= 100% on site, public facing
 - Tier B = 100% on site, controlled contacts
 - Tier C = 50% on site, public facing
 - Not Eligible = 51-100% remote
2. **Accrual Rates:** Each employee will accrue Hazard Time which will be accrued based on hours worked and deposited into a separate Hazard Time bank, according to the following schedule.
 - Tier A= 0.065 hours hazard time per hour worked
 - Tier B = 0.041 hours hazard time per hour worked
 - Tier C = 0.023 hours hazard time per hour worked
 - Not Eligible = 0 hours hazard time per hour worked
3. **Temporary Suspension of Accrual Caps and Time Limits for Use of Accrued Leave:** The parties agree that hazard time will be subject to the rules on vacation accruals. The parties further agree that the provisions on vacation accruals will be temporarily suspended until June 30, 2022. After June 30, 2022, the limit on vacation accruals will be reinstated and employees will be expected to

use (or lose) any vacation accruals that exceed the cap provided for in their CBA. The parties agree that employees will be able to use Hazard Time through this LOA through June 30, 2022. The use of other personal holidays and administrative leave will be extended through June 30, 2022.

4. **Limited Opportunity to Cash Out Hazard Time:** Employees who are eligible to accrue Hazard Time will have a one-time opportunity to cash out up to 80 hours of Hazard Time between the date this agreement is signed and June 30, 2021. Employees may only cash out Hazard Time once.
5. **Term of Agreement:** This agreement is retroactive to September 7th, 2020 and will expire on March 31st, 2021. Hazard Time will not be extended beyond March 31st, 2021, and the parties agree they will not negotiate another Letter of Agreement to extend Hazard Time beyond March 31, 2021.
6. This Letter of Agreement is not precedent setting for any interpretation of the collective bargaining agreement, Metro's personnel policies, any other letter of agreement, or any past practice. The Agreement shall not be cited or used in any subsequent grievance, negotiation, or in any other forum except to enforce the terms of this Agreement.
7. This Agreement will be effective upon the final signature of all parties.

For Metro:

For IATSE Local 28

 Elizabeth Arnott Date
 Labor & Employee Relations Manager

 Rose Etta Venetucci Date
 Business Representative

For ILWU:

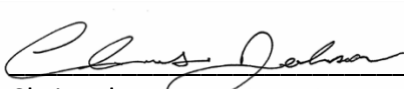
For LiUNA:

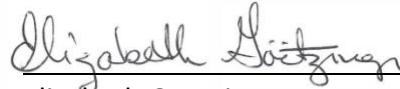
 Vaughn Emmons Date

 Farrell Richartz Date
 Business Manager

For AFSCME Local 3580:

For AFSCME Local 3580:

 Nov 9, 2020
 Chris Johnson Date
 Council 75 Field Representative

 Nov 9, 2020
 Elizabeth Goetzinger Date
 President