

ORDINANCE NO. 789

AN ORDINANCE ESTABLISHING CONDITIONS AND RULES FOR INITIATING AND CONDUCTING STRIKES, WORK STOPPAGES AND WORK SLOWDOWNS BY EMPLOYEES OF THE CITY OF PRINEVILLE AND ITS COLLECTIVE REPRESENTATIVES, AND DECLARING AN EMERGENCY.

THE PEOPLE OF THE CITY OF PRINEVILLE ORDAIN AS FOLLOWS:

Section 1. The Council of the City of Prineville finds that it is necessary in the interest of public health, safety and welfare that procedures be established incidental to strikes, work stoppages and work slowdowns, and to permit the City to supply services to the general public which are necessary for their health, safety and welfare, and this ordinance shall be liberally construed to accomplish these objectives.

Section 2. No employe of the City of Prineville shall participate in a strike, work stoppage or work slowdown against the City unless such employe is a member of a collective bargaining unit recognized by the City of Prineville and has strictly complied with and fulfilled all of the prerequisites for engaging in a strike as provided in this ordinance. The conditions and limitations for engaging in a strike against the City of Prineville and before giving any notice of strike as provided in this ordinance are as follows:

a. The authorized representative of the recognized collective bargaining unit shall first request mediation services of the State Conciliation Services under ORS 662.405 to 662.455 in order to attempt to resolve any differences existing in the collective bargaining process between the City and the bargaining unit.

b. The collective bargaining unit and the city administration shall participate in such mediation process in good faith.

c. In the event the mediator determines there is an impasse he shall send notice of the same to each of the parties, or the parties may mutually agree in writing that there is an impasse.

d. Within seven (7) days from the date that the mediator gives notice of impasse to each of the parties or within seven (7) days from the date the parties mutually agree there is an impasse, the collective bargaining unit's authorized representative may file with the Prineville City Recorder a written notice of intent to strike the City of Prineville. The strike shall commence, if at all, at the beginning of the 15th day following the filing of said notice and on no other day.

e. In the event this procedure as herein stated is not strictly complied with, the Collective Bargaining Unit shall be deemed to have accepted the City of Prineville's last bona fide offer on the issues remaining in dispute at the time of impasse, and the same, with tentatively agreed upon terms, shall be implemented.

Section 3. The following regulations shall apply to any strike against the City of Prineville instituted under the provisions of this ordinance. Any violation of the following rules by an employe of the City shall be sufficient cause for disciplinary action, including discharge, in addition to the other penalties provided herein:

a. No city employe who is not lawfully on strike under the terms of this ordinance shall engage in any work stoppage or work slowdown or refuse to cross a picket line in the performance of work for the City of Prineville by any other employe or a contractor of the City.

b. No city employe, whether on strike or not, shall in any way obstruct, delay or impede the performance of work for the City of Prineville by any other employe or a contractor of the City.

c. No city employe, labor organization or representative thereof shall engage in a secondary boycott or shall participate, aid or abet in the harassment or intimidation of any city official, employe or contractor.

Section 4. Any person who fails to comply with any of the rules, regulations or provisions of this ordinance shall, upon conviction thereof, be subject to a civil penalty not to exceed \$500.00. Violation of this ordinance by any employe shall be sufficient cause for discharge.

Section 5. The Council of the City of Prineville hereby finds that there are not in force or effect adequate laws, rules and regulations governing strikes by city employes, and it is in the interest of the public health, safety and welfare that laws, rules and procedures be made effective immediately to permit the City of Prineville to make preparations for providing services which are necessary for the protection of lives and property; the Council therefore declares that an emergency exists and that this ordinance shall be in full force and effect upon its enactment by the Council and approval by the Mayor:

Passed by the City Council this 2nd day of August, 1977.  
Approved by the Mayor this 3rd day of August, 1977.

ATTEST:

Patrick J. Lynch  
Patrick J. Lynch, City Admr.

Dr. Riley L. Allen  
Dr. Riley L. Allen, Mayor