

## MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) between the City of Bend Employees Association (COBEA) and the City of Bend (City) is for the purpose of memorializing the agreement between the parties as it relates to clarifying promotional probation language in the Collective Bargaining Agreement.

### Recitals

- A. The City wishes to clarify language that was inadvertently included in the Collective Bargaining Agreement (CBA).
- B. Both parties agreed to resolve such manner in a Memorandum of Understanding.

### Terms of Agreement:

- 1. The following language will be struck from Section 9.3 of the CBA:
  - a. Employees promoted/laterally transferred shall receive a written performance appraisal at three (3) months including, if warranted, a written plan for skills and/or professional development with clear, achievable metrics.
- 2. Section 9.3 of the CBA shall read:
  - a. Section 9.3 Promotional and Lateral Transfer Probation. Upon promotion or lateral transfer, including promotion/lateral transfer to a limited term duration position, employees shall serve a six (6) month probationary period to determine their suitability for continued employment in the classification to which they are promoted or transferred. A lateral transfer is defined as the movement from one classification to another classification within the same salary grade. If an employee is promoted/laterally transferred and does not meet the requirements of the new position, the City may return the employee to their former position provided a vacancy exists in that previous position.
- 3. These provisions are being adopted to address specific issues that arose and are not intended to change any other MOU provisions, past practice, or policies nor to set precedent if, inadvertently, these provisions affect other MOU provisions, practice, or policy.
- 4. Any dispute between the Association and the City concerning the interpretation, application or alleged violation of any term of this Memorandum of Understanding shall be subject to the Grievance Procedure set forth in Article 11 of the parties' CBA.

This Memorandum of Understanding is effective this 8th day of October, 2019.



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Rob DuValle, HR Director  
City of Bend



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Kerry Bell, President  
COBEA