## 2007 Regular Legislative Session FISCAL ANALYSIS OF PROPOSED LEGISLATION Proposed by the Oregon Legislative Figural Office

Prepared by the Oregon Legislative Fiscal Office

MEASURE NUMBER: SB 400 STATUS: B-Engrossed

**SUBJECT:** Expands definition of employment relations to include safety and staffing issues for strike-

prohibited bargaining units

**GOVERNMENT UNIT AFFECTED:** Employment Relations Board, Department of Corrections,

Local Government Public Safety Agencies

**PREPARED BY:** Adrienne Sexton

**REVIEWED BY:** Michelle Deister, Doug Wilson

**DATE:** April 11, 2007

2007-2009 2009-2011

**EXPENDITURES:** See Comments.

**EFFECTIVE DATE:** January 1, 2008

**GOVERNOR'S BUDGET:** This bill is not anticipated by the Governor's recommended budget.

**LOCAL GOVERNMENT MANDATE:** This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

**COMMENTS:** The measure would expand the definition of employment relations to include the categories of staffing and safety issues as they relate to on the on-the-job safety of certain collective bargaining unit employees who are prohibited from striking. These employees are emergency telephone workers (9-1-1 dispatchers), police officers, firefighters or security officers at a correctional institution or mental hospital.

If during the collective bargaining process a declaration of impasse is filed with the Employment Relations Board (ERB), both parties are required to submit their final offers and cost summaries of their offer to the mediator. For strike-prohibited units, the parties must also include a petition to initiate binding arbitration with the final offer. With staffing and safety issues as subjects of bargaining the final determination on those subjects is shifted from the public employer to the interest arbitrator if the parties cannot reach an agreement during direct bargaining. While cost estimates are available for hypothetical arbitrator determinations of issues on the table, the Legislative Fiscal Office cannot express an opinion of cost implications of future contracts bargained under SB 400 B-Engrossed compared to those contracts bargained under current law.

ERB anticipates that one or two cases could be filed with that agency as a result of this measure. The additional workload impact would be minimal.