

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass with Amendments to the A-Eng. Measure (Printed B-Eng) and Be Referred to the Committee on Rules
Vote:	3 - 2 - 0
Yeas:	Monnes Anderson, Prozanski, Rosenbaum
Nays:	George, Telfer
Exc.:	0
Prepared By:	Jeremy Sarant, Administrator
Meeting Dates:	5/11, 5/27

WHAT THE MEASURE DOES: Modifies definition of “supervisory employee” in public employee collective bargaining law by declaring that employee prohibited from striking under ORS 243.736 who merely assigns transfers or directs work of others, but does not have authority to impose economic discipline, is not supervisory employee.

ISSUES DISCUSSED:

- Whether being a member of the same collective bargaining unit would impact the ability to discipline
- Legal impact of adding the term “independent” to the statute
- Employees’ ability to vote in unit clarification proceeding
- Availability of legal representation to collective bargaining unit members
- Expense of paying for overtime hours for which employees do not currently receive additional pay

EFFECT OF COMMITTEE AMENDMENT: Removes requirement that supervisory employee have “independent” authority. Changes reference to “safety officer” to “employee prohibited from striking.”

BACKGROUND: Oregon’s Public Employee Collective Bargaining Act (PECBA), ORS 243.650 to 243.782, establishes a collective bargaining process for Oregon’s public employers and unions representing public employees. Employers covered by PECBA include, among others, the State of Oregon, cities, counties, school districts, community colleges, public hospitals, and special districts. Supervisory employees are not considered public employees for purposes of PECBA.

House Bill 2633B narrows the definition of a “supervisory employee” under PECBA to include individuals having independent authority to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other employees. The measure also establishes that the new definition does not apply to a public safety officer who merely assigns transfers or directs the work of other employees but does not have the authority to impose economic discipline on those employees.

Employees prohibited from striking under ORS 243.736 include corrections officers, youth correction officers, emergency medical dispatchers, parole and probation officers, police officers, certified reserve officers, emergency telecommunicators, and fire service professionals.