

REVENUE: No revenue impact
FISCAL: Fiscal statement issued

Action: Do Pass
Vote: 6 - 4 - 0
Yeas: Barton, Edwards C., Holvey, Matthews, Witt, Schaufler
Nays: Cameron, Esquivel, Kennemer, Thatcher
Exc.: 0
Prepared By: Theresa Van Winkle, Administrator
Meeting Dates: 2/23, 4/15

WHAT THE MEASURE DOES: Modifies the definition of “supervisory employee” in public employee collective bargaining law by stipulating that in order to be considered a supervisor, a public safety officer must have the authority to impose economic discipline on an employee.

ISSUES DISCUSSED:

- Overview of the Public Employee Collective Bargaining Act (PECBA)
- Separation between supervisory and non-supervisory employees
- Difference of structure in ranks and duties amongst police or sheriff’s departments
- Impact of changing definition of “supervisory employee”
- Potential fiscal impact of the measure
- Misclassification of public safety officers

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: House Bill 2633 clarifies the definition of a “supervisory employee” under Oregon’s Public Employee Collective Bargaining Act (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.

The statutory definition of a “public safety officer” includes corrections officers, youth correction officers, emergency medical dispatchers, parole and probation officers, police officers, certified reserve officers, telecommunicators, and fire service professionals.

The PECBA, covered in 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.