

Minority Report
B-Engrossed
House Bill 2831

Ordered by the Senate June 10
Including House Amendments dated May 4 and Senate Minority Report
Amendments dated June 10

Sponsored by nonconcurring members of the Senate Committee on Commerce and Workforce Development: Senators
TELFER, GEORGE

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

[Includes temporary employees in definition of "appropriate bargaining unit" for purposes of collective bargaining between public employers and public employees. Eliminates requirement that both issue of representation by labor organization and issue of designation of organization as exclusive representative be placed on ballot for representation elections for faculty of certain universities. Prohibits public employer from hiring permanent replacements for public employees engaged in lawful strike.]

Provides that Legislative Assembly may not fund any pay increase for state government employees granted by Governor during 18 months that precede effective date of Act.

Directs Governor to renegotiate contracts of state government employees who received pay increase during 18 months that precede effective date of Act.

Suspends specified pay increases until Governor makes certain determinations related to economy.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to public employment; and declaring an emergency.

3 Whereas the Governor gave \$141 million in pay increases to state government agency heads and
4 managers, during the worst recession since 1927; and

5 Whereas some of the raises were larger than the annual incomes of many Oregon families; and

6 Whereas the Governor's pay increases will cost taxpayers \$258 million over the next two years;
7 and

8 Whereas giving pay increases to state government agency heads and managers while more than
9 250,000 Oregonians are unemployed and more are laid off every day is out of touch; and

10 Whereas more than \$800 million in tax increases are being proposed in part to pay for the
11 Governor's pay increases; and

12 Whereas, like Oregon families and businesses, state government should reduce spending and
13 learn to live with less; now, therefore,

14 **Be It Enacted by the People of the State of Oregon:**

15 **SECTION 1. (1) As used in this section, "state government" has the meaning given that**
16 **term in ORS 174.111.**

17 **(2) The Legislative Assembly may not fund any pay increases for state government em-**
18 **ployees that were granted by the Governor during the 18 months preceding the effective date**
19 **of this 2009 Act.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 **(3) The Governor shall work with state government employees to renegotiate contracts**
2 **so that there is no impact on the state budget from the pay raises granted by the Governor**
3 **during the 18 months preceding the effective date of this 2009 Act.**

4 **(4) Until the conditions listed in subsection (5) of this section are satisfied:**

5 **(a) All cost-of-living increases to salaries of state government employees in the executive**
6 **branch are suspended;**

7 **(b) All step increases within the salary range of each state government employee in the**
8 **executive branch are suspended;**

9 **(c) All upward reclassifications of state government employees in the executive branch**
10 **are suspended; and**

11 **(d) State government positions in the executive branch that are vacant on the effective**
12 **date of this 2009 Act may not be filled.**

13 **(5) The restrictions listed in subsection (4) of this section may be lifted when the Gov-**
14 **ernor determines that:**

15 **(a) The rate of economic growth in Oregon has been positive in four of the previous six**
16 **quarters; and**

17 **(b) Oregon's private sector unemployment rate is less than seven percent.**

18 **(6) When a salary increase suspended under this section is no longer suspended, the**
19 **salary increase applies only prospectively. State government may not retroactively pay a**
20 **salary increase suspended under this section for any period during which the salary increase**
21 **was suspended.**

22 **(7) This section does not apply to state officers elected by popular vote, or appointed to**
23 **fill vacancies in elective offices, whose salaries are fixed by law.**

24 **SECTION 2.** **This 2009 Act being necessary for the immediate preservation of the public**
25 **peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect**
26 **on its passage.**

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