

Senate Bill 705

Sponsored by Senator OLSEN; Senators ATKINSON, BOQUIST, FERRIOLI, GEORGE, GIROD, KRUSE, MORSE, NELSON, STARR, TELFER, THOMSEN, WHITSETT, WINTERS, Representatives PARRISH, SHEEHAN

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 **as introduced**.

Limits collective bargaining agreements between state and state employees to term of not more than two years.

A BILL FOR AN ACT

1
2 Relating to collective bargaining agreements between the state and state employees; creating new
3 provisions; and amending ORS 240.321 and 240.580.

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

5 **SECTION 1.** ORS 240.321 is amended to read:

6 240.321. (1) All collective bargaining between the state and its agencies and any certified or
7 recognized exclusive employee representative of classified employees shall be under the direction
8 and supervision of the Director of the Oregon Department of Administrative Services.

9 **(2) The state and its agencies and any certified or recognized exclusive employee repre-**
10 **sentative of all appropriate bargaining units of exempt, unclassified and classified employees**
11 **may not enter into a collective bargaining agreement that has a term of more than two**
12 **years.**

13 [(2)] **(3)** Notwithstanding any of the provisions of ORS 240.235, 240.306, 240.316, 240.430 and
14 240.551, employees of state agencies who are in certified or recognized appropriate bargaining units
15 shall have all aspects of their wages, hours and other terms and conditions of employment deter-
16 mined by collective bargaining agreements between the state and its agencies and the exclusive
17 employee representatives of such employees pursuant to the provisions of ORS 243.650 to [243.762]
18 **243.782**, except with regard to the recruitment and selection of applicants for initial appointment to
19 state service.

20 [(3)] **(4)** The provisions of rules adopted by the Oregon Department of Administrative Services,
21 the subjects of which are incorporated into collective bargaining agreements, [*shall not be*] **are not**
22 applicable to employees within appropriate bargaining units covered by such agreements.

23 [(4)] **(5)** The department shall ensure the speedy resolution of employee grievances by adopting
24 a grievance procedure resulting in a final employer determination within 60 days of the filing of a
25 written grievance, with appeal thereafter to the Employment Relations Board, the Civil Rights Di-
26 vision of the Bureau of Labor and Industries, or other appropriate review agency. Employees in
27 collective bargaining units shall have their grievances resolved as provided for by the collective
28 bargaining agreement.

29 **SECTION 2.** ORS 240.580 is amended to read:

30 240.580. An employee who is initially appointed to a position in the unclassified service as a
31 member of the Oregon State Police under ORS 181.250 or 181.265, who separates voluntarily from

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 that service and who, within two years after the separation, is appointed to a position in the clas-
2 sified service, whether within a bargaining unit covered by a collective bargaining agreement or not,
3 and acquires regular employee status shall be entitled, for purposes of layoff and opportunity for
4 reemployment after separation for reasons other than cause, to service credit for the service in the
5 unclassified service preceding the service in the classified service. ORS 240.321 [(3)] (4) does not
6 apply to service credit granted under this section.

7 **SECTION 3. The amendments to ORS 240.321 by section 1 of this 2011 Act apply to col-**
8 **lective bargaining agreements entered into on or after the effective date of this 2011 Act.**

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