

D R A F T

SUMMARY

Establishes foster parents as public employees for purposes of labor organization activities. Prohibits foster parents from striking. Designates appropriate bargaining unit for foster parents.

A BILL FOR AN ACT

Relating to foster care.

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

SECTION 1. Section 2 of this 2013 Act is added to and made a part of ORS 418.625 to 418.645.

SECTION 2. (1) As used in this section, “foster parent” means a person maintaining a foster home certified by the Department of Human Services under ORS 418.625 to 418.645.

(2) For purposes of collective bargaining under ORS 243.650 to 243.782, the State of Oregon is the public employer of record of foster parents.

(3) Notwithstanding ORS 243.650 (19), foster parents are considered to be public employees governed by ORS 243.650 to 243.782. Foster parents have the right to form, join and participate in the activities of labor organizations of their own choosing for the purposes of representation and collective bargaining on matters concerning labor relations. These rights shall be exercised in accordance with the rights granted to public employees, with mediation and interest arbitration under ORS 243.742 as the method of concluding the collective bargaining process. Foster parents may not strike.

1 **(4) Notwithstanding subsections (2) and (3) of this section, foster**
2 **parents are not for any other purpose considered to be public employ-**
3 **ees of the State of Oregon or any other public body.**

4 **(5) The Oregon Department of Administrative Services shall repre-**
5 **sent the State of Oregon in collective bargaining negotiations with the**
6 **certified or recognized exclusive representative of an appropriate bar-**
7 **gaining unit of foster parents. The Oregon Department of Adminis-**
8 **trative Services is authorized to agree to terms and conditions of**
9 **collective bargaining agreements on behalf of the State of Oregon.**

10 **(6) Notwithstanding ORS 243.650 (1), an appropriate bargaining unit**
11 **for foster parents is a bargaining unit of foster parents maintaining a**
12 **certified foster home.**

13 **(7) This section does not modify any right of a child receiving foster**
14 **care.**

15 **SECTION 3.** **Section 2 of this 2013 Act applies to foster parents**
16 **maintaining a certified foster home before, on or after the effective**
17 **date of this 2013 Act.**

18
