

May 15, 2013

Senate General Government, Consumer and Small Business Protection Committee
Oregon State Capitol
Salem, OR 97301

Chair Shields and Members of the Committee,

The Association of Oregon Counties has reviewed **HB 2418** and has taken a position in **opposition**. The bill proposes a substantial departure from the current definition of “supervisory employee,” which was adopted nearly twenty years ago and modeled on the definition in the National Labor Relations Act. The new definition would state that a “strike-prohibited employee who “merely assigns, transfers, or directs the work of other employees but does not have the authority to impose economic discipline....” is not a supervisory employee. The net effect would be to likely force many current supervisors into a bargaining unit.

Included among the numerous problems created by this legislation:

- Revises the definition of “supervisory employee” to require the ability to impose “economic discipline.” The effect in many counties would be to place all but one or two members of Public Safety departments into bargaining units.
- Creates a serious potential conflict of interest between supervisors and those they supervise. Supervisors are, as a rule, the front-line managers in any organization and are often the best informed regarding employee performance issues. Those issues are addressed through the performance review process, as well as cause for progressive discipline, which are composed and delivered by supervisors.
- Forces a county to reorganize its command structure or change the delegation of disciplinary authority.
- Imposes substantial costs by forcing expenditure of the resources necessary to address the numerous labor relations issues that the County would have to bargain or litigate as a result of this substantial change.

Thank you for the opportunity to comment and the **Association of Oregon Counties urges a NO on HB 2418.**