



Representative Michael Dembrow

House District 45 (NE Portland, Maywood Park & Parkrose)

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H-487

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Chair Shields and Committee Members:

I'm pleased to bring HB 3342 to you. It's an important bill for Oregon's public employees and for Oregonians committed to a wise use of public tax dollars.

Oregon's public sector collective bargaining law allows workers who desire to form a union to do so and then to act collectively to improve their working conditions and improve workplace practices. Unfortunately, in some public workplaces, management takes extraordinary steps to block workers from forming a union, using substantial public tax dollars to hire outside labor relations and legal firms that specialize in blocking organizing drives. As a recent example, the University of Oregon recently spent tens of thousands of dollars in an unsuccessful attempt to dissuade their faculty from organizing. Lots of taxpayer and student tuition dollars were spent, in the end to no good purpose.

When an employer tries to disrupt a union organizing drive, this has a negative effect on the workplace, including decreased productivity, hostile work environments, and if workers do form a union it creates a more difficult time coming to agreement around a first contract and moving forward cooperatively.

I've seen this first-hand many times. Let me give you one example. I first got involved as a faculty activist back in the early 1980s, when I was a part-time teacher at PCC, and we were trying to organize ourselves into a union with the goal of being better supported as teaching professionals. College management at the time unfortunately resisted this effort strenuously, pouring many thousands of dollars into trying to convince our colleagues that our unionizing would result in harm to students. They engaged in a number of actions to block our effort. The result was poisonous, expensive, and divisive, and it took a number of years to get over. And it was unnecessary.

Today, everyone at PCC would agree that the union has had a very salutary effect on the college and has really helped to provide stability and enhanced service. It has helped make the college the premier institution that it is. Let me fast-forward to a happier story. By the late 1990s, when the faculty decided that it was in our best interest to merge the full-time and part-time faculty units, College management could have again gone through the whole expensive, time-consuming, and divisive process of fighting the effort, seeking to pit teacher against teacher, but instead decided to remain neutral. The result was a very positive process, the sign of a healthy, mature workplace environment.

That's what this bill seeks to do for all of our public sector workplaces. It requires that public employers remain neutral in organizing campaign, just as they are required to remain

neutral in elections and other political activities. This notion of neutrality is vital if public employees are to exercise their rights under collective bargaining law free of intimidation and fear of reprisal. Neutrality by the employer is vital if we are to maintain a level playing field. And it is equally vital that public tax dollars not go into deterring employees from exercising their legal bargaining rights.

Section 4 of the bill deals with a related issue, making a technical correction to HB 2891, a bill passed in 2007. Under that bill, once a majority of eligible public-sector bargaining unit members signed a card stating that they wanted to be part of a union, they could do so without having to go through a time-consuming, expensive election. It was assumed at the time that this same process would also apply to cases in which existing units were modifying their make-up. However, this was not explicit in the bill, so an election is required in so-called “unit clarification” cases. It’s hard to see why we would want to require an election for a change in an existing union when it’s deemed unnecessary for a brand-new one. That was not the intention of the 2007 bill, and HB 3342 will allow us to fix this error.

Colleagues, HB 3342 is a very important bill to the hard-working public employees—the teachers, the firefighters, the case workers, the child care workers, who do what it takes to bring us the services that we need. I urge an aye vote.