



OREGON COUNCIL OF POLICE ASSOCIATIONS

MEASURE: _____
EXHIBIT: _____
H BUSINESS & LABOR
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Please Support HB 2418

- House Bill 2418 is intended to add clarification in determining which employees are eligible for membership in a bargaining unit for purposes of collective bargaining.
- Between the enactment of the collective bargaining law in 1973 and the passage of SB 750 in 1995, lower-ranking superior officers in public safety agencies were included in collective bargaining units. The collective bargaining process worked well, and the inclusion of these employees in bargaining units posed no operational issues.
- The sweeping reforms in SB 750 had the unintentional consequence of allowing employers to re-classify employees who were traditionally a part of the bargaining unit as being supervisory in nature, thereby making them ineligible for collective bargaining. The result has been that many lower-ranking public safety employees such as police sergeants and fire captains have been stripped of their bargaining rights.
- HB 2418 is designed to allow lower-ranking firefighters, police officers, deputy sheriffs, and corrections officers to decide if they want to be represented by a bargaining unit.
- HB 2418 is necessary for many reasons. It would restore the balance in the law present before SB 750. It would once again align Oregon with public safety laws in other states (including Washington and California) and with the definition of "supervisor" found in the National Labor Relations Act.
- HB 2418 is necessary because of the 18 years of experience since SB 750; we have seen many police officers and firefighters elect to forego promotional opportunities in order not to sacrifice the protective umbrella of their bargaining units. In effect this has narrowed the pool of candidates who compete for leadership positions - the very same individuals who have to make decisive and difficult decisions - in a variety of emergency settings. The upshot of this predicament is that many of the people who should be making these decisions are electing not to pursue promotion, which in turn has a direct impact on the safety of public & emergency personnel.
- Most importantly, HB 2418 is fair. Lower-ranking officers in public safety agencies have many of the same job responsibilities as line officers. Sergeants respond to police calls, assist citizens, make arrests, issue citations, investigate crimes, write police reports, and respond to vehicle accidents. Fire captains respond to EMT calls, conduct inspections, pull hose at a fire scene, and enter burning buildings to save lives. These employees should have the same job protections as those with whom they're working alongside.
- Under HB 2418, an employee's supervisory status would be judged by the traditional 12-part test used across the country. If the employee has a meaningful role in hiring, firing, or other serious personnel decisions, the employee would be exempt from bargaining. If they don't have such a meaningful role, HB 2418 would give them the choice to join a bargaining unit.