

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 2418 - B

Seventy-Seventh Oregon Legislative Assembly – 2013 Regular Session
Legislative Fiscal Office

*Only Impacts on Original or Engrossed
Versions are Considered Official*

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Measure Description:

Modifies definition of "supervisory employee" for purposes of public employee collective bargaining law.

Government Unit(s) Affected:

Department of Administrative Services (DAS), Department of Human Services (DHS), Department of Corrections, Department of Veterans' Affairs, Oregon Health Authority (OHA), Oregon Youth Authority (OYA), Board of Parole and Post-Prison Supervision, Cities, Counties, Department of Justice, District Attorneys and their Deputies, Oregon State Police (OSP)

Summary of Expenditure Impact:

Please see analysis

Local Government Mandate:

This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

Analysis:

The fiscal impact of the measure is indeterminate due to the unknown specific implementation of the bill by state agencies, local governments and special districts. The measure exempts three groups of employees from the definition of supervisory employee in the definition of terms for statutes dealing generally with collective bargaining agreements. The resulting fiscal impact due to the change for nurses and charge nurses is minimal; the impact to public employees prohibited from striking falls on public safety agencies and public safety departments of local governments; and the fiscal impact to employees of mass transit districts, transportation districts and municipal bus systems applies to local governments and special districts.

There are two different approaches that are contemplated by agencies. The first of these is to provide existing supervisory staff with the ability to impose economic sanctions. This is the approach that would be used by the Department of Human Services (DHS), Oregon Health Authority (OHA), certain cities and the Department of Veterans' Affairs (ODVA). In this case the unknown components of the fiscal impact are the cost of possible increased grievances due to sanctions imposed and the cost to update job descriptions. The second approach is to re-classify affected supervisory positions as represented positions. This approach is an option presented by the Oregon State Police, Oregon Youth Authority and the Department of Corrections (DOC) which notes that once these positions are considered represented, they would be eligible for a 5% lead work differential equating to about \$39,000 per month, about \$950,000 a biennium. The DOC believes that this larger pool of represented employees would drive the need for additional management staff to deal with grievances, the formal resolution process of which is governed by collective bargaining agreements. DOC believes that the additional investigative activities required by the formal resolution process would require the addition of two human resource analysts and ten inspector positions at an estimated personal service cost of \$2,119,172. The actual impact, if any and the cost of this would be unknown until the actual number of new grievances is known. County governments report an indeterminate, but likely significant fiscal impact as well based on an unknown number of public safety supervisors that may become represented by bargaining units.