

Joint Committee on Ways and Means

Carrier – House: Rep. Nathanson
Carrier – Senate: Sen. Whitsett

Revenue: No revenue impact

Fiscal: Minimal fiscal impact, no statement issued

Action: Do Pass the A-Engrossed Measure as Amended and as Printed B-Engrossed

Vote: 25 – 0 – 1

House

Yeas: Barker, Buckley, Frederick, Freeman, Hanna, Huffman, Jenson, Komp, Nathanson, Read, Richardson, Smith, Tomei, Williamson

Nays:

Exc: McLane

Senate

Yeas: Bates, Devlin, Edwards, Girod, Hansell, Johnson, Monroe, Steiner Hayward, Thomsen, Whitsett, Winters

Nays:

Exc:

Prepared By: Matt Stayner, Legislative Fiscal Office

Meeting Date: June 26, 2013

WHAT THE MEASURE DOES: The measure specifies the type of exceptions that Director of Department of Administrative Services may grant from staffing restrictions related to the 11 to 1 supervisory ratio required by statute, allowing for the granting of an exception due to an agency having supervisory employees exercising authoring over non state-employee personnel, a large number of part-time or seasonal employees, or other unique personnel need; requires director to notify bargaining agent of employees in appropriate bargaining unit for agency requesting exception; repeals the statutory requirement for the department to develop plan for state agencies to attain 11 to 1 supervisory ratio substituting instead a rewording of the statute that requires DAS to report to the Joint Committee on Ways and Means the actions taken by agencies to achieve the required ratio; declares emergency, effective on passage.

ISSUES DISCUSSED:

- Types of exemptions
- Examples of exemptions
- Ability of DAS to create exemptions by category

EFFECT OF COMMITTEE AMENDMENT:

The amendment removes the provision from the bill that allows the director of DAS to grant exception due to unique or emergency circumstances generally and adds a provision that allows for the granting of an exception due to an agency having supervisory employees exercising authoring over non state-employee personnel, a large number of part-time or seasonal employees, or other unique personnel need. The amendment also eliminates the repeal of ORS 291.229, substituting instead a rewording of the statute that requires DAS to report to the Joint Committee on Ways and Means the actions taken by agencies to achieve the required ratio.

BACKGROUND: In 2011, the Legislative Assembly enacted House Bill 2020, establishing a target supervisory ratio of 11 public employees to 1 supervisory employee across all state agencies with at least 100 employees. House Bill 4131 (2012) clarified and reinforced the requirement. Statute currently prohibits an agency from filling vacant supervisory positions until the agency meets the 11 to 1 ratio or has increased its ratio by one employee from the preceding year. October 31st is the specified date for agencies to have improved their ratios, or to lay off or reclassify employees sufficient to achieve the one employee increase.

House Bill 3165 specifies the types of exceptions, based on unique or emergency circumstances, that the Director of the Department of Administrative Services may grant from staffing restrictions applied to agencies not yet meeting the 11 to 1 supervisory ratio.