

**REVENUE: No revenue impact**

**FISCAL: Minimal fiscal impact, no statement issued**

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**Action:** Do Pass With Different Amendments and Be Printed Engrossed

**Signers of the Report:** Ferrioli, Starr

**Prepared By:** Patrick Brennan, Administrator

**Meeting Dates:** 6/26, 6/27

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**WHAT THE MEASURE DOES:** Deletes provisions requiring the Employment Relations Board to investigate petition for representation in bargaining unit and certify labor organization as exclusive representative of employees if presented with signed authorization cards by majority of employees. Removes related rulemaking requirements. Deletes provisions providing process by which 30 percent of employees in bargaining unit may request election after majority of workers has signed cards certifying labor organization. Specifies measure's provisions apply to petitions filed with Employment Relations Board on or after measure's effective date. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- Public employee union organizing efforts
- Provisions of measure

**EFFECT OF COMMITTEE MINORITY AMENDMENT:** Replaces the original measure.

**BACKGROUND:** The Public Employee Collective Bargaining Act (PECBA) became effective in 1973. PECBA administers laws governing employment relations and public employers and employees in state government, counties, cities, school districts, transportation districts and other local governments. The Employment Relations Board (ERB) is responsible for enforcing PECBA and is responsible for determining the appropriate bargaining units, conducting elections for representation of employees, issuing declaratory rulings and orders in contested case adjudications of unfair labor practice complaints, and resolving disputes over union representation and collective bargaining negotiations.

House Bill 2891 (2007) established a process by which a majority of workers could, by signing cards or petitions for collective bargaining, be recognized by the ERB as a collective bargaining unit without an election. Prior to that measure's passage, workers could ask to be recognized as a collective bargaining unit if at least 30 percent of the employees signed cards or petitions and presented them to the ERB. Once the requisite number of signatures had been received by the Board, an election would be held among the employees. House Bill 2891 specified that signatures by a majority of employees were sufficient to require the Board to certify the organization as exclusive representation for the bargaining unit. An election could still be triggered if at least 30 percent of employees of the identified bargaining unit petitioned the board; such an election is conducted within 45 days of receipt of the petition, either on-site or by mail.

House Bill 3342-A (Minority) repeals the provisions of ORS 243.682 that were created by House Bill 2891 (2007), thereby reverting the process by which employees may seek recognition as a collective bargaining unit to that which existed prior to the passage of House Bill 2891.