

# House Bill 3288

Sponsored by Representative CAMERON; Representatives FREEMAN, HANNA

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires union security agreement between school district and exclusive representative of teachers employed by district to allow payment by teacher of 25 percent of union dues, fees and assessments paid by teacher to be paid to school district employing teacher. Requires amount paid to be transferred to school where teacher works for expenditure exclusively for classroom instructional purposes.

## A BILL FOR AN ACT

1  
2 Relating to payments made by teacher to school district for instructional purposes; creating new  
3 provisions; and amending ORS 243.666.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 243.666 is amended to read:

6 243.666. (1)(a) A labor organization certified by the Employment Relations Board or recognized  
7 by the public employer is the exclusive representative of the employees of a public employer for the  
8 purposes of collective bargaining with respect to employment relations.

9 (b) *[Nevertheless]* Any agreements entered into involving union security including an all-union  
10 agreement or agency shop agreement must:

11 (A) Safeguard the rights of nonassociation of employees, based on bona fide religious tenets or  
12 teachings of a church or religious body of which such employee is a member. Such employee shall  
13 pay an amount of money equivalent to regular union dues and initiation fees and assessments, if any,  
14 to a nonreligious charity or to another charitable organization mutually agreed upon by the em-  
15 ployee affected and the representative of the labor organization to which such employee would  
16 otherwise be required to pay dues. The employee shall furnish written proof to the employer of the  
17 employee that this has been done.

18 (B) **If the agreement is between a school district and the exclusive representative of**  
19 **teachers employed by the district, allow a teacher subject to the agreement to pay to the**  
20 **school district fund of the district that employs the teacher, in lieu of paying to the exclusive**  
21 **representative to which dues are paid, an amount of money equivalent to 25 percent of reg-**  
22 **ular union dues and initiation fees and assessments owed by the teacher. A school district**  
23 **that receives a payment under this subparagraph shall transfer the moneys received to the**  
24 **school in which the employee making the payment works. Moneys received by the school**  
25 **under this subparagraph may be expended only for classroom instructional purposes. A**  
26 **teacher who makes a payment authorized under this subparagraph shall furnish written**  
27 **proof to the exclusive representative that the payment has been made.**

28 (2) Notwithstanding the provisions of subsection (1) of this section, an individual employee or  
29 group of employees at any time may present grievances to their employer and have such grievances  
30 adjusted, without the intervention of the labor organization, if:

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.  
New sections are in **boldfaced** type.

1 (a) The adjustment is not inconsistent with the terms of a collective bargaining contract or  
2 agreement then in effect; and

3 (b) The labor organization has been given opportunity to be present at the adjustment.

4 (3) Nothing in this section prevents a public employer from recognizing a labor organization  
5 which represents at least a majority of employees as the exclusive representative of the employees  
6 of a public employer when the board has not designated the appropriate bargaining unit or when the  
7 board has not certified an exclusive representative in accordance with ORS 243.686.

8 **SECTION 2. The amendments to ORS 243.666 by section 1 of this 2013 Act apply to col-**  
9 **lective bargaining agreements entered into on or after the effective date of this 2013 Act.**

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