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February 4, 2014

Sen. Elizabeth Steiner Hayward, Co-Chair
Re. Greg Smith, Co-Chair
General Government Subcommittee of the Joint Ways and Means Committee
900 Court Street NE
Salem, OR 97301

Re: Employment Relations Board budget adjustment request

Dear Co-Chairs:

I am taking this opportunity to support the request by the Employment Relations Board (ERB) for additional funding for the remainder of this biennium. I am writing on behalf of myself, my firm and my clients. My perspective on ERB is academic, as well as a member of the State's labor relations bar. I am a long time adjunct professor at the University of Oregon Law School teaching labor law and arbitration. In that context I have an appreciation for the excellent work that this agency has done and how under the leadership of Chair Kathryn Logan, the Agency has been able to reform its practices so as to be incredibly responsive to the needs of the labor relations community. Beyond this, in my capacity of being a partner in Oregon's largest labor law firm representing Oregon workers, I have seen the transformation of ERB to an efficient agency which has positively impacted both management and labor in the State.

The request by ERB is very reasonable and reflects a good deal of discussion between ERB and its stakeholders. ERB's ability to have its mediators and administrative law judges travel is the only cost efficient way of providing services which are critical to both management and labor. In a State as large as ours, it is far more cost effective for a mediator or a judge to travel to areas outside the

Willamette Valley than it is to transport bargaining teams and witnesses from often times remote areas. It is important to consider that the management bargaining teams, as an example, who may be traveling from Eastern Oregon might well be committed to two work days for traveling in order to complete their business before ERB. That amounts to multiple paid public employees being paid for multiple days rather than one ERB employee who can often combine out of Salem trips for purposes of efficiency.

Additionally, the public employees who participate before ERB will have to make the same travel commitment which will keep them from their desks working for the cities, counties and school district's of the State. Obviously there was a negative effect on productivity as substitute workers had to be found as a result of a relatively simple one day ERB hearing.

I have practiced and studied this Agency for well over 30 years. When I first started there were at least six mediators and six administrative law judges and many supporter staffers. As the State has had fiscal problems, ERB has been cut to quick. The amount of cases, whether they be mediations or adjudicative hearings, has not decreased over time. ERB's staffing is a small fraction of what it was 30 years ago.

As I noted earlier, Chair Logan and her fellow board members, have generated much good will within the labor community through their efforts to make quality decisions quickly and to provided excellent mediators and judges to meet the needs of the stakeholders. This Agency has never been in better hands. This conclusion is shared by my colleagues in both the labor and management community.

I believe that the current request is in keeping with efforts that Chair Logan has been making to improve ERB's responsiveness. In the long run, this is a fiscally prudent approach. I support ERB's request wholeheartedly.

Michael J. Tedesco
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cc: Chair Kathryn Logan, ERB