



Tom Chamberlain, *President*
Barbara Byrd, *Secretary-Treasurer*

3645 SE 32nd Ave,
Portland, OR 97202
www.oraflcio.org

503-232-1195

afl-cio@oraflcio.org

TO: Chair Dembrow, Vice Chair Thatcher
Members of the Senate Committee on Workforce

FR: The Oregon AFL-CIO

RE: **Support for HB 2544**

April 27, 2015

The Oregon AFL-CIO, representing over 300,000 working Oregonians, supports HB 2544 and its efforts to level the playing field under the Public Employee Collective Bargaining Act with workplace issues that arise during the terms of an existing contract.

Collective bargaining for public employees proves to be, by and large, a fair and balanced process with both parties having the opportunity to make gains despite how difficult contract negotiations can be. However, an existing imbalance in the law gives employers the exclusive power to make a change to a workplace policy that is not currently covered in the contract, but would otherwise be required as a subject of collective bargaining, at any time during the life of a contract. The current process then requires an employee to demand to bargain over the issue starting a 90 day timer to resolve the issue, after which the employer can unilaterally implement the change.

The problem is that, if abused, this provision in the current law can truly hurt workers and undermine the balance in the process that PECBA strives for. One very troubling example included 26 furlough days, equal to over one month of pay for workers, being implemented where the employer stated that the contract did not explicitly state a process regarding furloughs. The employer then had no intention of truly bargaining, drug out the 90 day timer and then unilaterally implemented the furlough days without a substantive, fair process of bargaining as it is spelled out in the law.

While most public employers will play by the rules and not attempt to game the system, these instances of abuse need to be addressed and HB 2544 does that by simply allowing for either party to ask for mediation if no resolution can be reached after the 90 day window. If there is still no resolution, either party can ask for binding interest arbitration to come up with a solution.

HB 2544 is a small fix to the system that will protect against abuses that hurt workers in our communities, and it brings the process into alignment with other public employees, like strike barred units of fire fighters and police officers, all without burdening public employers.

We strongly urge your support for HB 2544.