

Seventy-Eighth Oregon Legislative Assembly - 2015 Regular Session
STAFF MEASURE SUMMARY
House Committee On Business and Labor

MEASURE: HB 2544
CARRIER: Rep. Doherty

Fiscal: Fiscal impact issued

Revenue: No Revenue Impact

Action Date: 02/25/15

Action: Do Pass.

Meeting Dates: 02/13, 02/25

Vote:

Yeas: 6 - Barton, Doherty, Evans, Fagan, Holvey, Nosse

Nays: 5 - Barreto, Esquivel, Heard, Kennemer, Weidner

Prepared By: Jan Nordlund, Committee Administrator

WHAT THE MEASURE DOES:

Requires issue subject to collective bargaining during term of agreement that is not resolved through negotiation or mediation be resolved through binding arbitration. Requires matter be submitted for mediation before binding arbitration. Prohibits public employees from striking when issue subject to collective bargaining during term of agreement is subject to binding arbitration.

ISSUES DISCUSSED:

- Use of interim bargaining soon after contract ratified
- Management's ability to implement changes after 90-day period
- Expense and time delay when entering into arbitration
- Whether length of contracts will be shortened in response to changes in interim bargaining
- Whether layoffs, as opposed to furloughs, would occur if interim bargaining were to change

EFFECT OF COMMITTEE AMENDMENT:

No amendment.

BACKGROUND:

Under the Public Employee Collective Bargaining Act (PECBA), there is established an expedited (also referred to as interim) bargaining process for when an employer, during the current contract, wants to make a change in employment relations that are subject to collective bargaining. If the labor organization demands to bargain, the statute prohibits the bargaining from continuing past 90 days without the consent of both parties and provided both parties negotiated in good faith. At any time during the 90-day period, both parties can mutually agree to mediation; after the 90-day period, management is allowed to implement its proposed changes without any further obligation to bargain.

House Bill 2544 requires issues that are not resolved in the 90-day period be submitted to the State Conciliation Service for mediation and, if necessary, to the Employment Relations Board for binding arbitration. The mediation period is to last up to 15 days from the date of the first mediation session. The measure also specifies that the employees in the bargaining unit subject to the binding arbitration are not allowed to strike.