

# Senate Bill 311

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## 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**.

Establishes foster parents as public employees for purposes of labor organization activities. Prohibits foster parents from striking. Designates appropriate bargaining unit for foster parents.

## A BILL FOR AN ACT

1  
2 Relating to foster care.

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

4 **SECTION 1. Section 2 of this 2015 Act is added to and made a part of ORS 418.625 to**  
5 **418.645.**

6 **SECTION 2. (1) As used in this section, "foster parent" means a person maintaining a**  
7 **foster home certified by the Department of Human Services under ORS 418.625 to 418.645.**

8 **(2) For purposes of collective bargaining under ORS 243.650 to 243.782, the State of**  
9 **Oregon is the public employer of record of foster parents.**

10 **(3) Notwithstanding ORS 243.650 (19), foster parents are considered to be public employ-**  
11 **ees governed by ORS 243.650 to 243.782. Foster parents have the right to form, join and par-**  
12 **ticipate in the activities of labor organizations of their own choosing for the purposes of**  
13 **representation and collective bargaining on matters concerning labor relations. These rights**  
14 **shall be exercised in accordance with the rights granted to public employees, with mediation**  
15 **and interest arbitration under ORS 243.742 as the method of concluding the collective bar-**  
16 **gaining process. Foster parents may not strike.**

17 **(4) Notwithstanding subsections (2) and (3) of this section, foster parents are not for any**  
18 **other purpose considered to be public employees of the State of Oregon or any other public**  
19 **body.**

20 **(5) The Oregon Department of Administrative Services shall represent the State of**  
21 **Oregon in collective bargaining negotiations with the certified or recognized exclusive rep-**  
22 **resentative of an appropriate bargaining unit of foster parents. The Oregon Department of**  
23 **Administration Services is authorized to agree to terms and conditions of collective bar-**  
24 **gaining agreements on behalf of the State of Oregon.**

25 **(6) Notwithstanding ORS 243.650 (1), an appropriate bargaining unit for foster parents is**  
26 **a bargaining unit of foster parents maintaining a certified foster home.**

27 **(7) This section does not modify any right of a child receiving foster care.**

28 **SECTION 3. Section 2 of this 2015 Act applies to foster parents maintaining a certified**  
29 **foster home before, on or after the effective date of this 2015 Act.**

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**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.