



Oregon State
University

Office of Human Resources
122 Kerr Administration
Corvallis, Oregon 97331-2132
P 541-737-3103
F 541-737-7771
<http://hr.oregonstate.edu/>

May 18, 2017

To: Senate Committee on Education
Re: HB 3170

Chair Roblan and members of the Committee,

Good Afternoon. I am Donna Chastain, Interim Chief Human Resources Officer at Oregon State University.

Oregon State University (OSU) recognizes and supports the right of our employees to organize and have union representation. In fact, OSU has two unions on campus with positive and collaborative relationships: SEIU, representing our Classified staff; and CGE representing our Graduate Research and Teaching Assistants. When possible, we have chosen interest based bargaining rather than positional based bargaining with the goal of reaching common ground together.

With that being said, I am here today in opposition of HB 3170.

- HB 3170 appears to be targeting those universities where the faculty are currently not organized. OSU acknowledges that the bill will allow for existing faculty unions to recertify and add new members from the identified supervisory population; but it has also been acknowledged by those in favor of the bill, that this bill will help in organizing OSU. OSU is simply requesting that the same rules that applied to other universities at the time of voting to become organized also apply to us.
- But, more importantly, there seems to be a misunderstanding of the role our research and academic faculty play in the supervision of their team members. Team members may include: other Academic Faculty, Professional Faculty, Postdoctoral Scholars and Research Associates, Classified staff, Graduate Assistants, and undergraduate students.

OSU, as an international research enterprise, is Oregon's Land Grant University and one of only two U.S. universities to also hold the Sea Grant, Space Grant, and Sun Grant designations. Researchers are a primary financial support of the people and property of OSU. Researchers submit proposals that determine and support research infrastructures and the number of and type of employees working on their research. The supervisory, confidential, and management decisions of these researchers have significant university-wide impact. Many of the Academic/Research faculty complete the full range of the PECBA duties with the authority to use independent judgement that require acting on behalf of the employer first, including performing confidential, management, and

supervisory duties. These duties include:

- **Managerial** duties consisting of: the authority to formulate and carry out management decisions or represent management's interests by taking or effectively recommending discretionary actions that control or implement employer policy, and who have discretion in the performance of these management responsibilities beyond the routine discharge of duties.
- **Confidential** duties consisting of: providing suggestions/recommendations on bargaining contract proposals; and attendance at collective bargaining meetings.
- **Supervisory** duties consisting of: hiring and training; planning, assigning and approving work; approving time off; authorizing overtime; establishing performance goals and responsibility for performance evaluation; discipline up to and including dismissal.

Further, Academic/Research Faculty that supervise, must remain without conflict relating to personal confidential information of their employees. Divided loyalties and obligations may be created when allowing supervisors and employees to be represented by the same union.