



# THREE RIVERS SCHOOL DISTRICT

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Director of Human Resources

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Joint Ways and Means Committee  
Oregon Legislature

**RE: Support of HB 5008**

To Whom It May Concern:

The purpose of this letter is to provide a personal perspective and lens as you consider information regarding Oregon's Employee Relations Board or ERB as it is otherwise known. I have been the Director of Human Resources for the Three Rivers School District since 2004. Since that time, particularly when the recession hit in 2008, leaving schools with scarcer resources, I have been the lead negotiator for our collective bargaining agreements with both the local chapters of the Oregon Education Association and the Oregon School Employees Union. My district is a rural district that is geographically challenging – it covers nearly 1200 square miles. When I began my position, we had nearly 350 teachers. Currently, we have 211.

Since 2008, I have bargained with both unions simultaneously during what has been a very difficult time financially. Staff has been asked to not have salary increases, remain frozen on steps, and to eliminate days from contracts. The last two years have been the first time we have had full contracts since 2008, with our staff members collectively reducing 35 days from their contracts over that five-year time period. It has been some of the most difficult bargaining imaginable – often contentious, intense, and stressful. These sessions can, at times, turn personal, heated and ugly – a situation that is not at all ideal when we return to work the next morning to serve kids. We have needed the mediation services of ERB at least three times to resolve contract disputes. On one additional occasion, the District had to exhaust all of the provisions of Public Employees Collective Bargaining Act (PECBA) and had one last mediation session the same evening the school board was to vote to unilaterally implement an agreement that was headed for an employee strike. In every instance, the staff from ERB has traveled to our District, listened to both sides, and worked intensively to help us reach agreements.

More recently, Janet Gillman from ERB, offered a workshop in Medford for all sorts of employers about a different way to bargain with unions and presented some specific strategies. At the time, I was again bargaining with both unions over economic provisions, and as usual, we were hitting a brick wall. Following the workshop, I returned to the bargaining table with an alternative strategy to try. While it did not immediately solve our conflict, as we were further along in the process, it did open up the conversation and help both the unions and myself problem-solve through what our real issues were. A few months later, I came across a flyer for full interest-based bargaining training and worked with our school board and union leadership teams to at least be open to looking into changing how we talk to one

another. My mantra has been that we are having the same unproductive conversation year after year, just with different numbers.

The training from ERB was a game changer in my District. It opened up enormous possibilities to work collaboratively together with our unions to solve really hard challenges. It does not mean at all that we always agree on strategy or decisions, but what it does mean is that we have a process for how to work through those really tough conversations with our labor organizations.

The staff at ERB is quick to respond as they can; however they are not staffed adequately for what is needed. It is a very small staff given the number of unions in the state of Oregon, not including the chapters only in the education sector. I would like to encourage the committee to look at HB 5008 carefully and strongly consider how it impacts the effectiveness of the Employee Relations Board do its work. While I understand the emergency declaration given the looming PERS issues, I believe it is critical that the Employee Relations Board be funded at the very least at current service levels if not also granting additional funding to ensure that labor organizations in the state can continue to access ERB services when needed so that the work in the state can continue to move forward. Any change to funding that reduces services I believe will be detrimental to the state – we are again headed into a difficult bargaining season with the governor’s budget impacted by increasing PERS costs and while I am hopeful that our interest-based process will help us have those difficult conversations, it is not a guarantee that we will not need to access a mediator through ERB to help us resolve those issues. My district will not be the only one in that circumstance. As it is now, requesting a mediator takes time – mediation cannot take place until a mediator is available, which means conflict resolution is on hold.

If I can share any direct information on the value of the Employee Relations Board and what it means to be at peace with your labor organizations; as well as the detriment when you are in conflict, please do not hesitate to let me know.

Respectfully,

Debbie L. Simons