

**HB 2263 STAFF MEASURE SUMMARY**

**Carrier:** Sen. Manning Jr

**Joint Committee On Ways and Means**

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**Action Date:** 06/02/17

**Action:** Do pass.

**Senate Vote**

**Yeas:** 11 - DeBoer, Devlin, Frederick, Girod, Hansell, Johnson, Manning Jr, Monroe, Roblan, Thomsen, Winters

**Exc:** 1 - Steiner Hayward

**House Vote**

**Yeas:** 10 - Gomberg, Holvey, McLane, Nathanson, Rayfield, Smith G, Smith Warner, Stark, Whisnant, Williamson

**Nays:** 1 - Huffman

**Fiscal:** No fiscal impact

**Revenue:** No revenue impact

**Prepared By:** John Borden, Budget Analyst

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**WHAT THE MEASURE DOES:**

Increases maximum fees for mediation sessions conducted by mediator assigned by Employment Relations Board to \$625 for third mediation session and lowers maximum fee to \$625 for fourth mediation session. Allows Board to establish fee for providing labor relations and negotiation training.

**ISSUES DISCUSSED:**

- History of the ERB mediation fees structure
- Number of mediation sessions requiring more than two sessions
- Nature of statutory fees

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

The Employment Relations Board (ERB) resolves disputes concerning labor relations for an estimated 3,000 employers and 250,000 employees in the public and private sector under its jurisdiction. The three-member Board administers the collective bargaining law that covers public employees of the State of Oregon and its cities, counties, school districts, and other local governments; hears and decides appeals from state employees concerning personnel actions; and administers the collective bargaining law that regulates private employers not covered by the National Labor Relations Act.

ERB may charge a fee for mediation services to resolve a labor dispute or labor controversy. The mediation fee is evenly split by the parties. The maximum fees are set in statute: \$1,000 for the first two mediation sessions, \$500 for the third, \$750 for the fourth, and \$1,000 for each additional session. HB 2263 sets the maximum fee for the third and fourth sessions at \$625 each, which is an increase for the third session and an equal decrease for the fourth session. Over the past four years, approximately 87% of mediation cases had only one or two mediation sessions with the remaining 13% evenly split between three sessions and those with four or more mediation sessions, according to ERB.