

HB 3252 A STAFF MEASURE SUMMARY

Carrier: Rep. Barker

House Committee On Business and Labor

Action Date: 04/08/19

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 11-0-0-0

Yeas: 11 - Barker, Barreto, Boles, Bonham, Boshart Davis, Bynum, Clem, Doherty, Evans, Fahey, Holvey

Fiscal: No fiscal impact

Revenue: No revenue impact

Prepared By: Jan Nordlund, LPRO Analyst

Meeting Dates: 4/3, 4/8

WHAT THE MEASURE DOES:

Excludes certain employees of Oregon State Police from definition of "supervisory employee" for purposes of collective bargaining. Sunsets provisions of measure on January 1, 2026.

ISSUES DISCUSSED:

- Conforming statute to current practice
- Problems of encouraging troopers to accept promotion to sergeant because of loss of overtime
- Applicability of measure only on Oregon State Police

EFFECT OF AMENDMENT:

Sunsets provisions of bill on January 1, 2026.

BACKGROUND:

The Public Employee Collective Bargaining Act (PECBA), enacted in 1973, codifies the laws governing employment relations and public employers and employees in the state, counties, cities, school districts, transportation districts, and other local governments, as well as private employers not subject to the jurisdiction of the National Labor Relations Board. Employees that are not covered under the PECBA and who are prohibited from organizing include elected officials, persons appointed to serve on boards or commissions, certain incarcerated persons, or persons who are confidential employees, supervisory employees or managerial employees.

In 2014, the Legislative Assembly passed Senate Bill 1518, which modified the definition of "supervisory employee" to exclude firefighters who are prohibited from striking and who assign, transfer or direct the work of others but lack authority to hire, fire or impose economic discipline.

House Bill 3252-A excludes from the definition of "supervisory employee" any employee of the Oregon State Police who serves in a rank equivalent to or below the rank of sergeant, who is prohibited from striking, and who assigns, transfers, or directs the work of other employees but has no authority to hire, discharge, or impose economic discipline. Excluding such police officers from the meaning of "supervisory employee" makes them eligible to participate in a labor organization. The changes made by the measure will sunset January 1, 2026.