

HB 3252 A STAFF MEASURE SUMMARY

Carrier: Sen. Knopp

Senate Committee On Workforce

Action Date: 05/07/19

Action: Do pass the A-Eng bill.

Vote: 4-0-1-0

Yeas: 4 - Golden, Knopp, Monnes Anderson, Taylor

Exc: 1 - Hansell

Fiscal: No fiscal impact

Revenue: No revenue impact

Prepared By: Ellen Osoinach, LPRO Analyst

Meeting Dates: 5/2, 5/7

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:

- Work performed by sergeants
- Type of representation provided to sergeants during critical incidents

EFFECT OF AMENDMENT:

No amendment.

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.