



Open Government Impact Statement

80th Oregon Legislative Assembly
2020 Regular Session

Measure: SB 1567 - AMR

Only impacts on Original or Engrossed
Versions are Considered Official

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SUMMARY

Specifies requirements for arbitration proceeding agreed to by written agreement between public employer and exclusive representative. Permits public employer and exclusive representative to enter into collective bargaining agreement that provides for alternative arbitration procedure, provided that procedure meets certain minimum requirements. Requires Employment Relations Board to adopt rules establishing minimum qualifications for qualified arbitrator. Includes arbitration procedures, including standards, guidelines or procedures for determining disciplinary action, as mandatory subject of bargaining.

Permits arbitrator in proceeding involving alleged misconduct by law enforcement officer to modify disciplinary action imposed by law enforcement agency in certain circumstances.

Establishes standards for justifying disciplinary action taken against public employees. Requires every collective bargaining agreement entered into on or after specified date to include provision that requires arbitrator's disciplinary decision to be based on such standards.

Makes it unlawful employment practice for public employer to deny opportunities for person to be selected as arbitrator because person previously issued arbitration award in accordance with requirements for conducting arbitration proceeding. Makes it unlawful employment practice for public employer to deny public employee fair and impartial arbitration process or to discriminate or retaliate against employee for participating in arbitration process. Allows person to file complaint with Commissioner of Bureau of Labor and Industries and bring civil action alleging unlawful practice. Specifies remedies available for action arising on or after specified date.

Requires certain law enforcement agencies to submit annual report to Legislative Assembly that includes information regarding disciplinary action imposed by agency and under arbitration awards. Makes certain personally identifiable information collected during preparation of report and certain materials and documents that include personal information of arbitrator exempt from public records requests made on or after specified date.

OPEN GOVERNMENT IMPACT

Legislative Counsel has not adopted standards for drafting measures that establish exemptions from disclosure of public records.

This measure exempts from public disclosure personal information of an arbitrator that hears a claim arising out of a personnel discipline action and any personally identifiable information collected during the preparation of an annual report by a law enforcement agency to the legislature regarding disciplinary policies, procedures and actions taken.

If the public records were instead subject to mandatory disclosure under public records law, the public could access personal information of arbitrators and the identity and personally identifiable information of disciplined law enforcement officers.