

SB 759 A STAFF MEASURE SUMMARY

Carrier: Rep. Smith Warner

House Committee On Rules

Action Date: 06/17/21
Action: Do pass with amendments. (Printed A-Eng.)
Vote: 4-3-0-0
Yeas: 4 - Fahey, Holvey, Salinas, Smith Warner
Nays: 3 - Bonham, Drazan, Zika
Fiscal: Fiscal impact issued
Revenue: No revenue impact
Prepared By: Melissa Leoni, LPRO Analyst
Meeting Dates: 4/29, 6/17

WHAT THE MEASURE DOES:

Directs presiding officers of each house of the Legislative Assembly to represent legislative department in collective bargaining negotiations with certified or recognized exclusive representatives of all appropriate legislative department employee bargaining units. Allows presiding officers to delegate collective bargaining responsibility to chief negotiator who, after consultation with majority party and minority party caucus leaders of Senate and House of Representatives, shall establish a bargaining team to carry out negotiations. Clarifies that only state agencies within executive department are represented by the Oregon Department of Administrative Services in collective bargaining negotiations.

ISSUES DISCUSSED:

- Allowing delegation of authority by Legislative Assembly similar to delegations of authority by executive and judicial branches
- Role of Legislative Administrator, Legislative Administration Committee, and presiding officers in negotiations
- Allowing or requiring the delegation of collective bargaining authority
- Establishing transparency and flexibility

EFFECT OF AMENDMENT:

Replaces Legislative Administrator with presiding officers of each house of Legislative Assembly to represent legislative department in collective bargaining negotiations with certified or recognized exclusive representatives of all appropriate legislative department employee bargaining units. Allows presiding officers to delegate collective bargaining responsibility to chief negotiator who, after consultation with majority party and minority party caucus leaders of Senate and House of Representatives, shall establish a bargaining team to carry out negotiations.

BACKGROUND:

The Public Employee Collective Bargaining Act (PECBA) governs collective bargaining and dispute resolution processes for Oregon's public employers and unions representing public employees. PECBA is administered by the Employment Relations Board (ERB), an executive branch agency overseen by three members appointed by the Governor and subject to confirmation by the Senate.

PECBA specifies that the Department of Administrative Services represents all state agencies in collective bargaining negotiations with represented executive branch employees and that the Chief Justice of the Supreme Court represents the judicial department in collective bargaining negotiations with represented judicial department employees. The law is silent on legislative branch representation in collective bargaining negotiations with represented legislative branch employees.

SB 759 A STAFF MEASURE SUMMARY

Senate Bill 759 A establishes that the presiding officers represent the Legislative Assembly in collective bargaining negotiations with appropriate legislative department employee bargaining units and allows them to delegate authority to a chief negotiator to consult with minority and majority party leadership in both chambers to establish a collective bargaining team to engage in negotiations.