

HB 4126 -2, -3 STAFF MEASURE SUMMARY

House Committee On Business and Labor

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Meeting Dates: 2/7

WHAT THE MEASURE DOES:

Establishes requirements for executive branch agencies contracting with private community-based organization for the provision and delivery of publicly financed behavioral health or addiction treatment services. Requires provider to include with bid a signed attestation that provider either already has or will if requested enter into an agreement with a labor organization to represent the employees of the provider. Requires contract between provider and executive branch agency to include material provisions: requiring the provider to submit a signed attestation that provider either already has or will if requested enter into an agreement with a labor organization to represent the employees of the provider; and a statement that a provider may not use any of the funds received under the contract to assist, promote, or deter union organizing. Applies to contracts entered into or renewed on or after January 1, 2023.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

- 2 Applies requirements to providers who are licensed, certified, or registered by the Oregon Health Authority.
- 3 Removes requirements related to use of funds to assist, promote, or deter union organizing.

BACKGROUND:

Enacted by Oregon voters in 2020, Ballot Measure 110 decriminalized the possession of smaller amounts of controlled substances and financed the delivery of drug addiction treatment and recovery services using marijuana sales tax revenue. More than \$131 million in marijuana sales tax revenue has been deposited in the Drug Treatment and Recovery Fund since the finance provisions became operative in January of 2021.

State and federal law protects the rights of workers in private employment to form unions and bargain collectively. Workers seeking to form a union can either receive voluntary recognition of the union from their employer or file a petition with the National Labor Relations Board (NLRB) with at least 30 percent of the employees in the bargaining unit to hold an election. If a majority of workers in the bargaining unit vote to unionize, the NLRB certifies the union and the employer then has a legal duty recognize and bargain in good faith with the union.

House Bill 4126 requires private, community-based organizations that either bid or enter into a contract with a state executive branch agency to provide publicly-funded behavioral health or addiction treatment services to attest that they either already have or will upon request enter into a contract with a union to represent their workers. The measure also requires those contracts to prohibit the use of public funds received under the contract to assist, promote, or deter union organizing.