

HB 4129-7
(LC 144)
2/9/24 (LHF/ps)

Requested by Representative SCHARF

**PROPOSED AMENDMENTS TO
HOUSE BILL 4129**

1 On page 2 of the printed bill, after line 11, insert:

2 “Whereas the Legislative Assembly does not intend for any consumer-
3 directed employer program to circumvent the existing rights afforded to in-
4 dividual providers serving Medicaid-eligible consumers under the ruling of
5 the United States Supreme Court in *Harris v. Quinn*, 573 U.S. 616 (2014),
6 regardless of how such individual providers are defined under Oregon law;
7 and”.

8 On page 6, after line 31, insert:

9 “(14) Pursuant to the state’s authority under section 14(b) of the Labor
10 Management Relations Act of 1947, (29 U.S.C. 164(b)), and notwithstanding
11 ORS 661.045, 663.110 and 663.127 and subsections (12) and (13) of this section,
12 a direct support worker may not be required to become or remain a member
13 of a labor organization as a condition of employment under the agency with
14 choice model, nor shall any direct support worker be required to pay any
15 dues, fees, assessments or other charges to a labor organization as a condi-
16 tion of employment under the model. Direct support workers shall have the
17 right to join or resign from membership in a labor organization at any time.
18 No agency shall deduct any dues, fees, assessments or other charges from the
19 pay of a direct support worker on behalf of a labor organization without the
20 voluntary, written authorization of the direct support worker. Direct support
21 workers may revoke such authorization at any time by providing a written

1 notice to the agency.”.

2 In line 32, delete “(14)” and insert “(15)”.

3 On page 7, line 1, delete “(15)” and insert “(16)”.

4 After line 6 insert:

5 **“SECTION 3. Section 1 of this 2024 Act does not affect a collective**
6 **bargaining agreement entered into before the effective date of this 2024**
7 **Act, to the extent compliance with the provisions of section 1 of this**
8 **2024 Act would conflict with or impair the execution of the terms of**
9 **the collective bargaining agreement.”.**

10 In line 7, delete “3” and insert “4”.

11 On page 9, line 19, delete “4” and insert “5”.

12 _____