

Chair Frederick, Vice Chair Weber, and Members of the Committee,

I write this testimony in opposition to HB 4066A in its current form.

I urge the Committee to amend the restriction on Oregon Health and Science University (OHSU) student member participation in discussions regarding collective bargaining. The stated goal of this language is to match the governance statutes of OHSU with the rest of the public universities, but in doing so, replicates existing bad law.

The language in question would split up ORS 353.040(5) so that it would now read (proposed changes in italics):

(5)(a) The faculty and nonfaculty staff members of the board may not participate in any discussions or action by the board or attend any executive session of the board involving collective bargaining issues that affect faculty or nonfaculty staff at the university.

(b) The student member of the board may not participate in any discussions or action by the board or attend any executive session of the board involving collective bargaining issues that affect students at the university.

This text indeed matches the overly vague and board language of ORS 352.076(6), the public university statute, almost word for word. This statute prevents actual conflicts of interest, such as a faculty member voting for their faculty union's collective bargaining agreement, i.e., voting on their own raise. Instead, this statute is used to exclude all trustees representing campus (faculty, nonfaculty, graduate and undergraduate student trustees) from any discussion regarding collective bargaining. See, for example, the bylaws for the University of Oregon¹ and Portland State University² Boards of Trustees. It blocks the participation of the very trustees who best understand the university's operations, even when no conflict of interest exists. HB 4066A would spread this problem to OHSU.

The existence of a student member of the OHSU Board of Directors does create the opportunity for a conflict of interest in discussion of collective bargaining issues. Instead of propagating bad law, solve the issue in a cleaner way: disallow board members **of any Oregon public university** from participating in any discussions or action by the board or attend any executive session of the board involving collective bargaining issues that **affect any bargaining unit the board member is a part of**.

¹ Article VIII Conflicts of Interest, point 2. Labor Negotiations in Bylaws of the University of Oregon. <https://trustees.uoregon.edu/sites/default/files/2025-01/final-bylaws-10-december-2024.pdf>

² Article IX Ethics and Conflicts of Interest, Section 2. Labor Negotiations in Bylaws of the Board of Trustees of Portland State University. <https://www.pdx.edu/board/bylaws-board>