

HOUSE COMMITTEE ON LABOR

March 11, 1997 Hearing Room E

8:30 A.M. Tape 37

MEMBERS PRESENT:

Rep. Steve Harper, Chair

Rep. Mike Fahey, Vice-Chair

Rep. Chris Beck

Rep. Dan Gardner

Rep. Bill Markham

Rep. Ron Sunseri

MEMBER EXCUSED: Rep. John Minnis

STAFF PRESENT:

Cara Filsinger, Administrator

Linda Spaulding, Administrative Support

MEASURE/ISSUES HEARD:

SB 47 Public Hearing and Work Session

SB 43 Public Hearing and Work Session

SB 38 Public Hearing and Work Session

SB 37 Public Hearing and Work Session

SB 45 Public Hearing and Work Session

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

Tape/#	Speaker	Comments
TAPE 37, A		
004	Chair Harper	Calls the meeting to order at 8:34 a.m. Enters written testimony on HB 2691 for the record (EXHIBIT A). Opens public hearing on SB 47.

<u>SB 47 - PUBLIC HEARING</u>		
018	Jack Roberts	Commissioner, Oregon Bureau of Labor and Industries Explains SB 47 is housekeeping bill to repeal Oregon statutes governing labor organizing and collective bargaining between nurses and private health care facilities which were preempted by federal statute.
033	Chair Harper	Closes public hearing on SB 47. Opens work session on SB 47.
<u>SB 47 - WORK SESSION</u>		
035	Rep. Gardner	MOTION: Moves SB 47 to the floor with a DO PASS recommendation.
		VOTE: 5-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 2 - Markham, Minnis
	Chair Harper	The motion CARRIES. REP. FAHEY will lead discussion on the floor.
046	Chair Harper	Closes work session on SB 47. Opens public hearing on SB 43.
<u>SB 43 - PUBLIC HEARING</u>		
048	Jack Roberts	Commissioner, Oregon Bureau of Labor and Industries (BOLI) Says SB 43 is housekeeping bill; explains the bill cleans up inadvertent omission in original statute excluding from coverage by civil rights laws those employers who are elected officials. Explains BOLI had no jurisdiction to pursue civil rights complaints against elected officials; SB 43 rectifies this oversight.
066	Chair Harper	Closes public hearing on SB 43. Opens work session on SB 43.
<u>SB 43 - WORK SESSION</u>		
070	Rep. Fahey	MOTION: Moves SB 43 to the floor with a DO PASS recommendation.
		VOTE: 6-0

		AYE: In a roll call vote, all members present vote Aye.
		EXCUSED: 1 - Minnis
	Chair Harper	The motion CARRIES. REP. GARDNER will lead discussion on the floor.
083	Chair Harper	Closes work session on SB 43; opens public hearing on SB 38.
<u>SB 38 - PUBLIC HEARING</u>		
085	Jack Roberts	Commissioner, Oregon Bureau of Labor and Industries Explains SB 38 is a housekeeping bill that transfers authority for enforcement for regulating farm worker camps to Department of Consumer and Business Services (DCBS).
102	David Sparks	Deputy Administrator, Oregon-OSHA Supports SB 38 that authorizes responsibility for ensuring farm labor camp occupants are provided seven days' housing if regulatory agencies determine farm labor camp unfit for habitation.
113	Rep. Beck	Asks if discussion held last session when bill was originally introduced regarding transfer of responsibility for farm labor camps.
116	Roberts	Answers there was some discussion how responsibilities should be assigned. Explains BOLI's responsibility covers enforcement of contractual issues, concluding that OSHA inspects facilities. Summarizes allocation of responsibilities saying OSHA manages structures; BOLI manages people.
131	Rep. Harper	Reminds witnesses that during public hearings on HB 2691, testimony from farm workers described abuses in the system. Encourages agencies to monitor these complaints to the best of their abilities.
138	Roberts	Says Bureau is aware of alleged violations; expresses concern, explains difficulty of enforcement. Assures committee BOLI takes the problem seriously.
149	John McCulley	Represents Tree Fruit Growers Says tree fruit industry was instigator of legislation passed last session. Explains logic of consolidating responsibility for farm labor camps into one agency; supports SB 38 as correcting oversight.
163	Chair Harper	Closes public hearing on SB 38; opens work session on SB 38.
<u>SB 38 - WORK SESSION</u>		
165	Rep.	MOTION: Moves SB 38 to the floor with a DO PASS recommendation.

	Beck	
		VOTE: 6-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Minnis
	Chair Harper	The motion CARRIES. REP. BECK will lead discussion on the floor.
174	Chair Harper	Closes work session on SB 38; opens public hearing on SB 37.
<u>SB 37 - PUBLIC HEARING</u>		
176	Jack Roberts	Commissioner, Oregon Bureau of Labor and Industries Explains SB 37 exempts certain apprenticeship and training agreement proceedings from contested case provisions of the Administrative Procedures Act.
211	Chair Harper	Closes public hearing on SB 37. Opens work session on SB 37.
<u>SB 37 - WORK SESSION</u>		
215	Rep. Fahey	MOTION: Moves SB 37 to the floor with a DO PASS recommendation.
		VOTE: 6-0 AYE: In a roll call vote, all members present vote Aye. EXCUSED: 1 - Minnis
	Chair Harper	The motion CARRIES. REP. FAHEY will lead discussion on the floor.
228	Chair Harper	Closes work session on SB 37; opens public hearing on SB 45.
<u>SB 45 - PUBLIC HEARING</u>		
		Commissioner, Oregon Bureau of Labor and Industries Explains SB 45 provides significant change in how BOLI handles apprenticeship and training committees. Explains background of 25 states operating under federally registered program of Bureau of Apprenticeship

230	Jack Roberts	<p>and Training (BAT). Says Oregon has a State Apprenticeship Council (SAC) that oversees and regulates apprenticeship. Although some federal standards are observed, SAC's standards are more stringent than federal. Lists advantages of SAC states:</p> <ul style="list-style-type: none"> * best apprenticeship programs * greatest flexibility * ties needs with marketplace * allows more partnership input between management and labor
256	Roberts	Says out of 25 SAC states Oregon alone treats apprenticeship committees as state agencies. Other states treat committee as private sector partnership between management and labor, regulated and overseen by state.
263	Roberts	<p>Cites additional results of apprenticeship committees being treated as state agencies:</p> <ul style="list-style-type: none"> * terminations handled according to Administrative Procedures Act * legislation required to authorize registration fees to offset costs * civil rights suits brought against apprenticeship committee impacts state liability and creates conflict of interest
333	Chair Harper	Asks about Commissioner Roberts' expectations of disapproval from small, nonunion apprenticeship committees.
336	Roberts	Answers some feel abandoned.
346	Rep. Fahey	Comments small union committees will be affected in similar way.
351	Roberts	Agrees change may bring some discomfort to small union and nonunion committees, but believes program will be healthier as demonstrated in other states.
362	Chair Harper	Closes public hearing on SB 45. Opens work session on SB 45.
<u>SB 45 - WORK SESSION</u>		
365	Rep. Fahey	MOTION: Moves SB 45 to the floor with a DO PASS recommendation.
		<p>VOTE: 6-0</p> <p>AYE: In a roll call vote, all members present vote Aye.</p> <p>EXCUSED: 1 - Minnis</p>
		The motion CARRIES.

	Chair Harper	REP. GARDNER will lead discussion on the floor.
377	Chair Harper	Closes work session on SB 45. Adjourns meeting at 8:59 a.m.

Submitted By, Reviewed By,

Linda Spaulding, Cara Filsinger,

Administrative Support Administrator

EXHIBIT SUMMARY

A - HB 2691, written testimony, Staff, 293 pp