

SENATE COMMITTEE ON
LABOR AND GOVERNMENT OPERATIONS

Hearing Room
Tapes - 64

MEMBERS PRESENT:

Sen. Gene Derfler, Chair
Sen. Brady Adams, Vice-Chair
Sen. Neil Bryant
Sen. Bob Kintigh
Sen. Bill McCoy
Sen. Randy Leonard

MEMBER EXCUSED:

STAFF PRESENT:

Rita Thomas, Committee Counsel
Amy Baker, Committee Assistant

MEASURES HEARD:

SB 750 - Public Hearing

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes.

TAPE , A

002 CHAIR DERFLER: Opens PUBLIC HEARING on SB 750.

008 NORMA PAULUS: Superintendent, Oregon Dept. of Education. Begins testimony related to SB 750 and schools.

040 NORMA PAULUS: Makes suggestions on collective bargaining as it relates to schools.

080 NORMA PAULUS: Continues testimony discussing the role of teachers, teacher's Unions, administrators and school boards.

135 NORMA PAULUS: Discusses specific examples of teachers problems with the current educational system.

175 SEN. LEONARD: Have you heard absurd management offers similar to the

union demands that you discussed?

180 NORMA PAULUS: Yes, I have, but the whole problem is not unions but the lack of interest in the system and children.

230 NORMA PAULUS: Discusses site councils.

240 SEN. LEONARD: My understanding of current collective bargaining is that teachers can discuss the classroom size, would this not be acceptable with this current legislation?

280 NORMA PAULUS: Continues to discuss site councils.

295 LES SMITH: Partner in Bullard, Korshoj, Smith and Jernstedt. Testifies on collective bargaining.

352 LES SMITH: Gives testimony of background and summary of SB 750.

400 LES SMITH: Begins testimony on section 1.

TAPE 62, A

020 LES SMITH: Discusses section 7.

045 LES SMITH: Talks about the "fair share" agreement.

085 LES SMITH: Give the definition of managerial, part of SB 750.

120 LES SMITH: Discusses mandatory subjects for collective bargaining.

155 LES SMITH: Discusses employee right to present a case without a union representative.

190 LES SMITH: Talks about good faith bargaining.

230 LES SMITH: Section 4, saving clause.

295 LES SMITH: Discusses the new section 9, bargaining in mid-term.

335 LES SMITH: Discusses volunteers as part of the collective bargaining law.

380 LES SMITH: Talks to the changes related to transfer laws.

TAPE 61, B

015 GARRY BULLARD: Bullard, Korshoj, Smith, & Jernstedt. Discusses his experience with labor and employment law.[EXHIBIT A]

035 GARRY BULLARD: Begins testimony on SB 750.

080 GARRY BULLARD: Discusses some of the current problems with collective bargaining.

120 GARRY BULLARD: Continues testimony on current problems with collective bargaining, specifically fact-finding.

170 GARRY BULLARD: Discusses the meaning of the changes to collective

bargaining law made by SB 750. Moving the public employee system closer to that of the private sector.

220 GARRY BULLARD: Speaks to the right to strike for public employees.

285 GARRY BULLARD: Discuss page 7, line 6; final offers.

330 GARRY BULLARD: References page 7 line 14. Interest arbitration.

375 GARRY BULLARD: Discusses the issue of arbitrators from out of state.

410 GARRY BULLARD: Discusses agreement settlements.

TAPE 62, B

025 GARRY BULLARD: Discusses interest arbitration.

050 GARRY BULLARD: Speaks to the government's ability to attract and retain qualified personnel.

115 GARRY BULLARD: Concludes testimony on SB 750 and summary of the bill's provisions.

125 DONNA CAMERON: Miller, Nash, Wiener, Hager & Carlsen. Begins testimony discussing her background. Addressing school's collective bargaining.

170 DONNA CAMERON: Discusses the current problems with collective bargaining for school districts.

220 DONNA CAMERON: Discusses grouping of public employees for collective bargaining.

260 DONNA CAMERON: Continues testimony speaking to the appropriate bargaining units.

290 DONNA CAMERON: Talks about mandatory subjects of bargaining.

345 DONNA CAMERON: Discusses section 7(2)(c) implementation of final offer.

400 DONNA CAMERON: Discusses the changes after a last offer has been made.

TAPE 63, A

025 DONNA CAMERON: Discusses volunteers as non-contract as relates to schools.

065 DONNA CAMERON: Discusses the regulatory process for firing a teacher with unsatisfactory performance.

100 DONNA CAMERON: Discusses the fair dismissal review board.

155 DONNA CAMERON: Talks about section 14.

185 DONNA CAMERON: Speaks to the decision making in lay-off situations.

230 SEN. LEONARD: Clarifies statements made by speakers earlier related to police and fire.

270 SEN. LEONARD: What subjects are not allowed to be bargained?

275 LES SMITH: It is a case by case situation.

310 SEN. LEONARD: Asks speaker to speak to specifics of collective bargaining.

350 LES SMITH: Talks about private sector model, which does not have a need for such lengthy collective bargaining laws.

410 SEN. LEONARD: Discusses fair share agreements.

TAPE 64, A

015 SEN. LEONARD: States what he believes has been the benefit of fair share.

055 SEN. LEONARD: What is it suppose to mean when you say the scope of bargaining is too big?

090 LES SMITH: Talks about the problems with implementation.

125 LES SMITH: Gives a specific example of where scope held up the implementation of the decisions.

166 DONNA CAMERON: Gives a specific example of language in a contract that created a situation where management could manage.

215 GARRY BULLARD: Discusses an example of negotiations that can paralyze management's ability to manage.

270 GARRY BULLARD: Continues to discuss the problems with collective bargaining.

313 SEN. LEONARD: Gives specific example of the ability to bargain that would be changed with new legislation.

375 GARRY BULLARD: Concludes discussion of the different positions from labor and management perspectives.

TAPE 63, B

005 GARRY BULLARD: Discusses problems with collective bargaining units which are created when ranking officer are part of the unit.

045 SEN. LEONARD: Asks Garry Bullard to give a specific example of a problem with collective bargaining units.

055 LES SMITH: Gives an example for Sen. Leonard.

101 SEN. LEONARD: Talks to the problems of people who can't manage in the public sector.

150 SEN. LEONARD: Sites the statistic of the state that point to the fact that arbitrated negotiations are less likely, then settlement agreements.

205 SEN. LEONARD: Discusses responsible negotiations.

235 CHAIR DERFLER: Closes PUBLIC HEARING on SB 750.
Adjourns meeting.

Submitted by, Reviewed by,

Amy Baker Rita Thomas
Committee Assistant Committee Counsel

EXHIBIT SUMMARY:

A - Testimony on SB 750 - Garry Bullard - 12 pages