

HOUSE COMMITTEE ON COMMERCE SUBCOMMITTEE ON LABOR

May 12, 1993 Hearing Room D 8:30 a.m. Tapes 114 - 115

MEMBERS PRESENT: Rep. John Watt, Chair

Rep. Lee Beyer Rep. Michael Payne

Rep. Charles Starr

Rep. Bob Tiernan

STAFF PRESENT: Marilyn Johnston, Committee Administrator Kimberly Burt,
Committee Assistant

MEASURES CONSIDERED: HB 2132 SB 428 SB 436

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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. [--- Unable To Translate Graphic ---]

TAPE 114, SIDE A

CHAIR WATT: Calls the meeting to order. (8:35 a.m.)

WORK SESSION ON HB 2132 Witness: Christine Chute, Employment Division

007 MARILYN JOHNSTON, COMMITTEE ADMINISTRATOR: Describes HB 2132, submits preliminary staff measure summary, (-4) amendments, hand engrossed version, fiscal and revenue impact statements, (EXHIBIT A).

020 CHRISTINE CHUTE, EMPLOYMENT DIVISION: We wanted to make sure we were talking about a dollar amount, so we used 500 hours.

_ It is both 500 hours and at least 500 times the minimum wage.

035 REP. TIERNAN: Section 4; does the Employment Division employ collection agencies to go after over payments?

CHUTE: The Employment Division does it's own collections.

REP. TIERNAN: I'd like to see the Employment Division look into the possibility of using a collection agency.

070 REP. TIERNAN: Could you explain the expenditure and revenue statements?

CHUTE: Look at the bottom of the fiscal impact statement, see exhibit A; this bill has complex provisions that effect the way unemployment benefits are paid or collected. _ Describing costs in fiscal impact statement.

_ If you look at the effect on revenues there is a transfer from the

Department of Insurance and Finance, (DIF), of some money to us.

_ If HB 2348 doesn't pass, you can delete the transfer from DIF.

120 CHAIR WATT: Where did you come up with cost estimates for conversion of programs?

CHUTE: That was done by our department.

_ Continues describing fiscal impact statement, describing vacation pay changes that will reduce their workload.

150 REP. TIERNAN: What is the bottom line savings?

CHUTE: Expenditures, because of programming costs, is about \$450,000.

REP. TIERNAN: If you are doing your own programming and already have the people employed, why is the expense there?

CHAIR WATT: This is a matter of accountability.

188 MOTION: REP. BEYER MOVES THAT THE (-4) AMENDMENTS TO HB 2132 BE ADOPTED.

VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES UNANIMOUSLY.

MOTION: REP. BEYER MOVES THAT HB 2132, AS AMENDED, BE SENT TO THE FULL COMMITTEE WITH A DO PASS RECOMMENDATION.

VOTE: IN A ROLL CALL VOTE THE MOTION CARRIES UNANIMOUSLY.

CARRIER: WATT

WORK SESSION ON SB 428 Witnesses: Vicki Totten, Oregon School Boards Association John Danielson, Oregon Education Association

210 MARILYN JOHNSTON, COMMITTEE ADMINISTRATOR: Describes SB 428, submits preliminary staff measure summary, fiscal and revenue impact statement, (EXHIBIT B).

220 VICKI TOTTON, OREGON SCHOOL BOARDS ASSOCIATION: Testifies in support of SB 428.

230 JOHN DANIELSON, OREGON EDUCATION ASSOCIATION: Testifies in support of SB 428.

_ Gives history of teacher dismissal statutes; reads guidelines for dismissal of teachers.

_ Describes current process for dismissal of teachers.

350 REP. TIERNAN: How many are dismissed each year?

DANIELSON: Less than five a year; there is a three year probationary period for teachers.

400 CHAIR WATT: Does this change in the statute make it more difficult to dismiss a teacher in the probationary period?

DANIELSON: No; the law provides an alternative procedure for going through the dismissal process, through arbitration.

_ Describes process for arbitration.

TAPE 115, SIDE A

040 DANIELSON: We believe arbitration would be faster and less expensive.

REP. TIERNAN: This bill could make it easier for the superintendent to move a teacher.

DANIELSON: We believe the law represents reasonable balance; we believe this is an alternative procedure that will save money and make it a faster process.

128 TOTTEN: This bill isn't a change in the process for dismissal; the appeal process is costly because of attorneys and that won't happen in arbitration.

_ The arbitrators would have to use precedent established by the Fair Dismissal Appeals Board; there is a change to be made; the intent was to capture the entire chapter of 342.

_ Line 8, the words "is desirous of using" could be changed to "desires to use".

178 REP. TIERNAN: There is no cost of arbitration listed in the bill.

TOTTEN: Most contracts speak to that.

205 REP. PAYNE: How are arbitrators chosen?

DANIELSON: The standards are clear in statute; there is a list of arbiters maintained.

PUBLIC HEARING ON SB 436 Witnesses: John Danielson, Oregon Education Association Vicki Totten, Oregon School Boards Association

MARILYN JOHNSTON, COMMITTEE ADMINISTRATOR: Describes SB 436, submits preliminary staff measure summary, (-1) amendments, hand engrossed version, fiscal and revenue impact statement, (EXHIBIT C).

270 JOHN DANIELSON, OREGON EDUCATION ASSOCIATION: This bill says that if a teacher is to be reinstated, they will be entitled to compensation for the time they weren't working.

300 VICKI TOTTEN, OREGON SCHOOL BOARDS ASSOCIATION: Describes (-1) amendments, see Exhibit C.

REP. TIERNAN: Unprecedented numbers of people will be laid off because of Measure 5?

DANIELSON: The layoff statute is different; describes process.

_ The resolution of dispute in layoff is handled by arbitration.

370 CHAIR WATT: Being no further business to come before the subcommittee, we are adjourned. (9:30 a.m.)

Submitted by, Reviewed by,

Kimberly Burt Marilyn Johnston Committee Assistant Committee
Administrator

EXHIBIT SUMMARY:

A - HB 2132: Preliminary staff measure summary, (-4) amendments, hand
engrossed version, fiscal and revenue impact statement submitted by
staff, pp 16

B - SB 428: Preliminary staff measure summary, fiscal and revenue
impact statements submitted by staff, pp 3

C - SB 436: Preliminary staff measure summary, (-1) amendments, hand
engrossed version, fiscal and revenue impact statements submitted by
staff, pp 8