

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.

HOUSE COMMITTEE ON LABOR

March 29, 1991 Hearing Room D 8:30 a.m. Tapes 79 -

MEMBERS PRESENT: Rep. Gene Derfler, Chair Rep. Kevin Mannix, Vice-Chair Rep. Sam Dominy Rep. Jim Edmunson Rep. Rod Johnson Rep. Bob Repine Rep. John Watt

MEMBER EXCUSED: ?Rep. Name

VISITING MEMBER: ?Sen./Rep. Name

STAFF PRESENT: Victoria Dozler, Committee Administrator Johanna Klarin, Committee Assistant

MEASURES CONSIDERED: HB - HB - HB -

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 79, SIDE A

003 CHAIR DERFLER: Opens the meeting at 8:30 a.m.

010 WORK SESSION ON 2652

020 TOM MATTIS: We still have some problems. We need some more time time review those -1 amendments.

026 OLIVIA CLARK: We have no problems with these amendments.

033 DOZLER: I have rescheduled this bill for April 17

REP. MANNIX:

MATTIS: We want to avoid passing those costs elsewhere.

REP. MANNIX: If the fund is run properly...

MATTIS: Until this time the fund has been more than adequate to cover those costs.

REP. MANNIX: Would you want to use the fund we use for non-complying employers.

PUBLIC HEARING, HB 2748

CHAIR DERFLER: Opens public hearing on HB 2748.

DOZLER: Describes the bill.

083 REP. DOMINY, DISTRICT 44:

098 D.H. PETRY, Investigator with the family and Adult Services:
Testifies in favor of HB 2748.

-Discusses the retirement issue as it relates to his former employment
with Baker city.

-Those nine years are worth only \$36 dollars per month.

146 REP. DOMINY: You are re

177 DOUGLAS HUMPHRESS, Chief Police, City of Baker: Echoes the
sentiments of Mr. Petry. Testifies in support to this bill.

-70 people in the city of Baker would benefit of this.

-Would have no impact on the city.

196 BUTCH WARREN, Deputy Fire Chief, City of Ontario: Testifies in
support of this bill. Supports the previous testimonies.

212 SHERYL WILSON, Director, PERS: Discusses trust impact as a result
of this action.

231 BOB ANDREWS: We are looking at a service award to be diverted into
a pension.

-There are other employers that this would double overlay.

-The purchase costs ///

-The contribution rate is significantly higher for a smaller employer

283 CHAIR DERFLER: What percentage are you talking about?

ANDREWS: That would be an increase in the employers rate.

292 REP. DOMINY: If we narrow the definition will the impact still be
same?

ANDREWS: It would not make a difference to the PERS system. It would
impact the employer at the local level.

REP. DOMINY: Without this legislation could the city of Baker do this?

SHERYL WILSON: They can create their own annuity.

REP. DOMINY: Can we put this together so that it allows

WILSON: Yes but that would require an amendment.

343 CHAIR DERFLER: Maybe it is more appropriate for the Baker city to

come before us with amendments.

WILSON: They would have to agree of course.

356 REP. DOMINY: I would just like to give the city of Baker an option

364 REP. WATT: How many more of these are out there?

WILSON: We have identified approximately five very different employer groups.

-Gives an example.

404 REP. WATT:

TAPE 80, SIDE A

005 WILSON: I can

008 REP. MANNIX: Should we add a surcharge to process all the buy backs?

WILSON: The surcharge would have to match up with our ability to spend it.

025 REP. DOMINY: What is the difference to the other buy backs?

wilson: In the other ones they have to buy

REP. DOMINY:

PUBLIC HEARING, HB 2850

048 DOZLER: Describes the bill.

055 ROBERT VAN HAUTE: Testifies in support of the bill.

073 REP. MANNIX: How much an average retiree receives..

VAN HAUTE: Describes the figures involved.

REP. MANNIX: Have you considered a monthly supplemental payment?

118 mannix and van haute continue their discussion concerning this bill.

161 MARIA KELTNER, Cities and Counties: We are concerned about the added costs.

-Discusses the adequacy issue of PERS benefits.

180 PUBLIC HEARING HB 2912

DOZLER: Describes the bill

189 SCOTT MACGRAW: Bill of this nature is applicable in an area where an error has occurred and an overpayment has been made.

229 REP. MANNIX:

MCGRAW: PERS benefits are not attachable in any fashion.

REP. MANNIX:

MCGRAW: You have to get them after they have already given ///

250 DOZLER: Discusses this issue in light of heritage tax.

267 REP. MANNIX: Would you explain some limitations in the garnishment laws.

MCGRAW: Explains the limitations.

290 SHERYL WILSON: We have sympathy for the problem that Mr. McGraw put forward. It needs to be put into a perspective.

-I am more interested in working for an administrative solution for this problem.

330 REP. MANNIX: What is we added some notification language into this.

WILSON: I would welcome that as a friendly amendment.

REP. MANNIX: Could you draft some language to address this issue?

WILSON: Gladly.

PUBLIC HEARING, HB 2910

KENNETH SHERMAN: Testifies in favor for the bill. (Exhibit A)

TAPE 79, SIDE b

019 SHERMAN: Continues his testimony.

044 SHERMAN continues his testimony.

086 Discusses the employees right to return to work after a parental leave.

149 CHAIR DERFLER: Please define the term" availability".

SHERMAN:

-The final change would make a change in the parental leave law dealing with the right of the re/// Focusing on the competing rights of the employee's fellow employee.

181 He continues his presentation.

198 REP. DOMINY: What would prevent the employer from changing the job title.

REP. DOMINY:

219 MARTHA COUCH: Testifies in favor of this bill (Exhibit B). She discusses the following topics:

-The merits of parental leave. -The burden for the employer that the parental leave creates. -The employer must add more staff to accommodate the employees who wish to take parental leave. -The larger burden falls

on small employers. -Discusses the issue of accrued sick leave. -It is the employer's right to establish policies.

330 FRANK BROWNER: This unpaid parental leave has suddenly become a paid leave.

-you are penalizing the employer who grants sick leave.

-The employer will be forced to extend sick leave.

401 REP. JOHNSON: Is this the same bill which was passed in the house last session.

TAPE 80, SIDE B

005 REP. EDMUNSON: What percentage is women.

BROWNER:

REP. MANNIX:

014 REP. WATT: Are you required by the law to allow sick leave for your employers.

022 BROWNER:

037 DUANE BARRETT: Testifies in favor oh HB 2910 (Exhibit C).

050 REP. EDMUNSON: Is taking care of an adopted child different...

BARRET: Discusses the issue of sick leave as it relates to this issue.

085 Continues the testimony.

094 CHAIR DERFLER:

BARRET:

101 REP. EDMUNSON: What is the percentage of women ///

108 JIM CRAVEN: Testifies in favor of this bill (Exhibit D).

157 DAVE BARROWS: Testifies in favor of this bill. These changes would make this law more manageable.

174 MARI ANNE GEST: Testifies in opposition of this bill (Exhibit E).

235 REP. WATT: How is an agreement between two people coercion?

GEST: Employees are often intimidated.

253 REP. EDMUNSON: Would most of the time

GEST: Of course.

REP. EDMUNSON: Refers to the reinstatement of injured workers after injury. Would you object to using the same standards to parental leave.

GEST: That would be unacceptable idea.

302 CHAIR DERFLER: How do you address the problem of the school district.

GEST: I don't believe that a collective bargaining unit is in conflict with this bill.

343 MARY BODTKIN: I am unclear about the agreement.

-We can always bargain for more as a bargaining unit.

369 REP. DOMINY: Are all public contract subject to changes if the law changes?

BODTKIN: This bill could seriously undermine some of our contract language.

405 REP. MANNIX: Why don't we allow the bargaining unions to agree on these

TAPE 81, SIDE A

008 BODTKIN: In unions where the majority are men this does

REP. MANNIX:

BODTKIN: Discusses the issue between natural and adopted children.

024 REP. WATT: I don't think it was intended that way.

-Discusses the family sick leave bill now in congress.

069 REP. JOHNSON: What is the status of these kinds of laws around the country.

BODTKIN:

REP. JOHNSON: Refers to section 10, page 2. How do you feel about that.

BODTKIN: Our employers rarely hire temporary help.

BODTKIN: Discusses seniority question in a case a job disappears.

124 CHAIR DERFLER: Is this a question of interpretation.

BODTKIN: The intent was to allow employees

142 REP. DOMINY: We are not asking more with parental leave that///

157 MARILYN COFFEL: Introduces Kelly Hagan and Raleigh Lewis.

-Reads what the current law says.

-The court upheld the validity of our administrative rule.

-Discusses the cost of retraining employees.

-Discusses the concept of equivalent job.

-236REP. DOMINY: Discusses seniority. Has this ever been administered in that way.

COFFEL: We have never had a case.

KELLY HAGAN: The rule requires that the equivalent position must be available.

258 REP. MANNIX: Should we take a more global look at all the leaves.

COFFEL: Yes.

277 CHAIR DERFLER:

HAGAN: The short answer is the rule.

CHAIR DERFLER: Please reply in light of the Albany school district.

HAGAN: Refers to subsection 3. There are provisions in the law that refer to the collective bargaining units.

316 REP. WATT: I am confused about this.

HAGAN: The commission of Labor and Industries has the authority to interpret and administer this law.

338 COFFEL: This was a very extensive rule making process. We have had only about 26 filings.

364 BOB HALL: Testifies in support of HB 2910.

386 KARL FREDERICK: Testifies in support of this bill.

TAPE 82, SIDE A

005 AMY KLARE: Testifies in opposition of this bill (Exhibit F)

015 REP. EDMUNSON: What is your recommendation

KLARE: We oppose the bill.

021 CHAIR DERFLER: Could this be handled through bargaining.

KLARE: Only 26% of Oregon workers are covered unions.

031 REP. EDMUNSON: What percentage of the banking industry is organized?

KLARE: This needs to be spelled out in the statute.

057 KATE BROWN: Testifies in opposition of HB 2910 (Exhibit G).

-Discusses this issue in a global perspective.

071 LAURIE WIMMER. Exhibit H