

SENATE COMMITTEE ON LABOR

May 17, 1991 Hearing Room 50 3:00 p.m. Tapes 116 -117 MEMBERS
PRESENT: SEN. GRATTAN KERANS, CHAIR SEN. LARRY HILL, VICE-CHAIR SEN.
BOB KINTIGH SEN. BOB SHOEMAKER MEMBER EXCUSED: SEN. PETER BROCKMAN
VISITING MEMBER: SENATOR KITZHABER

STAFF PRESENT: ANNETTE TALBOTT, COMMITTEE COUNSEL ROBERTA WHITE,
COMMITTEE ASSISTANT MEASURES CONSIDERED: SB 656 - PERS SB 594 -
SPECIFIES RIGHTS OF PUBLIC EMPLOYEE TRANSFERRED FROM ONE PUBLIC EMPLOYER
TO ANOTHER PUBLIC EMPLOYER AS TO CERTAIN CONDITIONS OF EMPLOYMENT,
RIGHTS AND BENEFITS SB 632 - ALLOWS PUBLIC EMPLOYER WHO IS NOT
PARTICIPATING IN PUBLIC EMPLOYEES' RETIREMENT SYSTEM TO ELECT TO BECOME
PARTICIPATING EMPLOYER AND DESIGNATE CLASSES OF EMPLOYEES TO BECOME
MEMBERS OF SYSTEM SB 588 - REQUIRES SPECIFIED FINDING AND PUBLIC HEARING
BEFORE PUBLIC EMPLOYER MAY CONTRACT WITH PRIVATE ENTITY TO PERFORM
DUTIES OR PROVIDE SERVICES PERFORMED OR PROVIDED BY PUBLIC EMPLOYEES SB
1036 - REQUIRES STATE BOARD OF HIGHER EDUCATION TO DESIGNATE PERSON TO
APPROVE PAYROLL AND DISBURSE FUNDS FOR EMPLOYEES OF BOARD WHO WORK AT
OR FOR OREGON HEALTH SCIENCES UNIVERSITY HOSPITAL SB 860 - ADDS CANCER
TO LIST OF OCCUPATIONAL DISEASES FOR WHICH THERE IS PRESUMPTION OF
COMPENSABILITY FOR FIRE FIGHTERS UNDER WORKERS' COMPENSATION LAW

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 116, SIDE A

001 CHAIR KERANS: Calls the hearing to order. (3:21 p.m.) Senate
Committee on Labor May 17, 1991 - Page 2

WORK SESSION ON SB 656 - PERS 012 MOTION: SENATOR HILL MOVES SB 656
TO THE FLOOR WITH A "DO PASS": RECOMMENDATION AND A REQUEST THAT THE
SUBSEQUENT REFERRAL BE RESCINDED. 016 VOTE: IN A ROLL CALL VOTE THE
MOTION CARRIES 3-1 WITH KERANS, HILL AND KITZHABER VOTING AYE; MEMBERS
EXCUSED: SENATORS BROCKMAN AND SHOEMAKER CHAIR KERANS: SB 588 has been
set over; additional amendments are being drafted.

WORK SESSION ON SB 1036 - REQUIRES STATE BOARD OF HIGHER EDUCATION TO
DESIGNATE PERSON TO APPROVE PAYROLL AND DISBURSE FUNDS FOR EMPLOYEES OF
BOARD WHO WORK AT OR FOR OREGON HEALTH SCIENCES UNIVERSITY HOSPITAL
Witnesses: Brian Delashmutt, Oregon Nurses Association 040 BRIAN
DELASHMUTT, OREGON NURSES ASSOCIATION: Outlines amendments (EXHIBIT A)
to the bill.

· The amendments have been agreed to by AFSCME, ONA, OHSU, and the
Department of Higher Education.

055 DELASHMUTT: Reads bill as amended, see (Exhibit A); describes
changes made. 085 SENATOR SHOEMAKER: On line 16 would it be better to
say "OHSU may pay it's employees. . . "?

DELASHMUTT: It reads grammatically correct either way; I have no problem
with that change.

095 MOTION: CHAIR KERANS MOVES THE AMENDMENTS AS AMENDED.

097 VOTE: HEARING NO OBJECTION, THE MOTION CARRIES. 100 MOTION:
SENATOR SHOEMAKER MOVES THE BILL AS AMENDED TO THE FLOOR WITH A "DO

PASS" RECOMMENDATION. TALBOTT: The cost will be offset with the savings which is estimated to be 1.7 million. DELASHMUTT: There is duplication of senice at OHSU as far as payroll; this bill will cut employee FTE.
127 VOTE: HEARING NO OBJECTION, THE MOTION CARRIES.

WORK SESSION ON SB 594 - SPECIFIES RIGHTS OF PUBLIC EMPLOYEE TRANSFERRED FROM ONE PUBLIC EMPLOYER TO ANOTHER PUBLIC EMPLOYER AS TO CERTAIN CONDITIONS OF EMPLOYMENT. RIGHTS AND BENEFITS

These minutes contain Iterials which paraphrase and/or summurlze etdements made during this serrion. Only text enclosed in quotation marks report a speaker's exact words. For complete contents of the proceed ~gs, phase refer to the tapes. Senate Committee on Labor May 17, 1991- Page 3

Art James, Executive Department CJ Hill, Area Agencies on Aging
142 JEANINE MEYER RODRIGUEZ, OREGON PUBLIC EMPLOYEES UNION, (OPEU): Explains the (-1) amendments dated 5/17/91, (EXHIBIT B). 150 ART JAMES, EXECUTIVE DEPARTMENT: The amendments are acceptable to the Executive Department. 153 CJ HILL, AREA AGENCIES ON AGING: Testifies in support the bill with the amendments. JAMES: If compensatory time is earned in a manner which makes it a "cashable" asset, then it would be available.

175 CHAIR KERANS: Goes through the amendments, see (Exhibit B).

SENATOR SHOEMAKER: What if the health insurer isn't agreeable to a waiver?

HILL: We had long discussions on this as that had happened in the past; we were assured that every insurer has it's price and would supply a waiver, but at their cost. Under this bill, what ever the cost is, the insurer names it, then the difference is paid by the transferring employer. SENATOR SHOEMAKER: Is there any control on what the health insurer can charge?

HILL: No there isn't. We decided that by limiting the waiting period, we were in effect, limiting the amount.

298 SENATOR KINTIGH: If the transferring employee can't have their salary reduced; the receiving employer "eats" that?

JAMES: The original bill said that they would go to the next highest salary step in the range, but it was the intent of all that the transferred public employee not be harmed.

Presumably the employee would be doing the same job.

328 MOTION: SENATOR KINTIGH MOVES THE ADOPTION OF THE (-1) AMENDMENTS TO SB 594. 330 VOTE: HEARING NO OBJECTION, THE MOTION CARRIES.

SENATOR BROCKMAN AND HILL WERE EXCUSED. 360 JAMES: Local governments have a potential impact with this and I would suggest that if they are present they should make a statement. 377 MOTION: SENATOR SHOEMAKER MOVES SB 594 AS AMENDED TO THE . . . These minutes contain serials which paraphrase and/or summarize statemenb 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. Senate Committee on Labor May 17, 1991- Page 4

FLOOR WITH A "DO PASS" RECOMMENDATION.

380 VOTE: HEARING NO OBJECTION THE MOTION CARRIES UNANIMOUSLY.

WORK SESSION ON SB 632- ALLOWS PUBLIC EMPLOYER WHO IS NOT PARTICIPATING IN PUBLIC EMPLOYEES' RETIREMENT SYSTEM TO ELECT TO BECOME PARTICIPATING EMPLOYER AND DESIGNATE CLASSES OF EMPLOYEES TO BECOME MEMBERS OF SYSTEM
Witnesses: Steve Rhodes, City Manager, City of Tualatin Bob Andrews, Public Employees Retirement System, (PERS) Chuck Mendenhall, Oregon Public Employees Union, (OPEU)

382 ANNETTE TALBOTT, COMMITTEE COUNSEL: Outlines amendments, (EXHIBIT C).

398 STEVE RHODES, CITY MANAGER, CITY OF TUALATIN: Explains the purpose behind the bill.

· The language in the bill provides the option for a smaller distinct group of employees to become part of PERS if the employer agrees.

445 BOB ANDREWS, PUBLIC EMPLOYEES RETIREMENT SYSTEM, (PERS): Explains the impact of this bill on the public employer.

TAPE 117, SIDE A

036 CHAIR KERANS: We will leave current law as is, looking only at sub 4.

· Before bringing in a class of employees, an employer must agree to eventually extend coverage, assuming that will happen until we have "wall to wall" coverage?

JAMES: Yes; we have had some experience with this type of approach already with the Metropolitan Service District.

051 SENATOR SHOEMAKER: Are the remaining employees bound to join?

JAMES: As I read it the employer is then bound to agree to eventually come in; we aren't going to insert ourselves into their collective bargaining process.

070 CHUCK MENDENHALL, OREGON PUBLIC EMPLOYEES UNION, (OPEIJ): It is our goal to move all of our employees into the system.

080 MOTION: CHAIR KERANS MOVES TO ADOPT THE (-1) AMENDMENTS AS AMENDED TO SB 632. 082 VOTE: HEARING NO OBJECTION, THE MOTION CARRIES.

SENATOR HILL: Will this allow the City of Portland and Springfield and others who have the equal to or better than retirement plan to move into PERS?

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. Senate Committee on Labor May 17, 1991 - Page 5

ANDREWS: Other than police and fire the City of Portland is already under PERS; yes, it would allow some flexibility for the City of Springfield to bring in their non police and fire people.

097 MOTION: SENATOR HILL MOVES SB 632 AS AMENDED TO THE FLOOR WITH A "DO PASS" RECOMMENDATION. 098 VOTE: HEARING NO OBJECTION, THE MOTION CARRIES. MEMBER EXCUSED: SENATOR BROCK1V AN

WORK SESSION ON SB 860 - ADDS CANCER TO LIST OF OCCUPATIONAL DISEASES FOR WHICH THERE IS PRESUMPTION OF COMPENSABILITY FOR FIRE FIGHTERS UNDER WORKERS' COMPENSATION LAW

105 MOTION: CHAIR KERANS MOVES THE BILL TO THE FLOOR WITH A "DO PASS" RECOMMENDATION. 128 VOTE: HEARING ONE OBJECTION, THE MOTION CARRIES. MEMBER VOTING NO: SENATOR KINTIGH MEMBER EXCUSED: SENATOR BROCKMAN

135 CHAIR KERANS: The meeting is adjourned. (4:01 p.m.)

Submitted by:	Reviewed by: Roberta White	Annette
Talbott Assistant	Committee Counsel	

EXHIBIT SUMMARY:

A - SB 1036: Proposed amendments submitted by DELASHMUTT, pp 1 B SB 594: Proposed amendments submitted by RODRIGUEZ, pp 4 C SB 632: Proposed amendments submitted by staff, pp 1

These minutes contain serials which paraphrase and/or summarize daternents made during this session. Only text enclosed in quotation marks report & speaker's exact words. For complete contents of the proceedinge, pie&se refer to the tapes.