2007 Regular Legislative Session
FISCAL ANALYSIS OF PROPOSED LEGISLATION
Prepared by the Oregon Legislative Fiscal Office

MEASURE NUMBER: SB 400 **STATUS:** A-Engrossed
SUBJECT: Expands definition of employment relations to include safety issues and staffing level for strike-prohibited bargaining units
GOVERNMENT UNIT AFFECTED: Employment Relations Board, Department of Corrections, Local Government Public Safety Agencies
PREPARED BY: Adrienne Sexton
REVIEWED BY: Michelle Deister, Doug Wilson
DATE: March 15, 2007

	2007-2009	2009-2011
EXPENDITURES:		
See Comments.		

EFFECTIVE DATE: January 1, 2008

GOVERNOR'S BUDGET: This bill is not anticipated by the Governor's recommended budget.

LOCAL GOVERNMENT MANDATE: This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

COMMENTS: The measure would expand the definition of employment relations to include the broad categories of staffing levels and safety issues that have an impact on the on-the-job safety of certain collective bargaining unit employees who are prohibited from striking. These employees are emergency telephone workers (9-1-1 dispatchers), police officers, firefighters or security officers at a correctional institution or mental hospital.

If during the collective bargaining process a declaration of impasse is filed with the Employment Relations Board (ERB), both parties are required to submit their final offers and cost summaries of their offer to the mediator. For strike-prohibited units, the parties must also include a petition to initiate binding arbitration with the final offer. With staffing levels and safety issues as subjects of bargaining the final determination on those subjects is shifted from the public employer to the interest arbitrator if the parties cannot reach an agreement during direct bargaining. While cost estimates are available for hypothetical arbitrator determinations of issues on the table, the Legislative Fiscal Office cannot express an opinion of cost implications of future contracts bargained under SB 400 A-Engrossed compared to those contracts bargained under current law.

ERB anticipates that one or two cases could be filed with that agency as a result of this measure. The additional workload impact would be minimal.