



TO: House Business & Labor Committee  
RE: House Bill 2016  
ON: March 11, 2019

Chair Barker, Vice-Chairs Barreto and Bynum, members of the committee,

For the record my name is Shirin Khosravi, and I am the Supervising Attorney for SEIU Local 503. I am here today in support of House Bill 2016, to help walk through certain sections of the bill, and answer any questions you might have.

I'd like to start by saying that House Bill 2016, while a long and technical-seeming bill, is actually a relatively straightforward attempt to codify best practices related to collective bargaining agreements and make some necessary technical changes to Oregon law.

Section 2 of the bill specifically defines "designated representative" as a public employee, designated by the exclusive representative for employees in the bargaining unit, who receives reasonable paid time under Section 3 or release time under Section 4.

Section 3 requires paid leave for designated representative during regular work hours to perform certain activities on behalf of exclusive representative. Those activities include (but are not limited to):

- (a) Investigate and process grievances and other workplace-related complaints;
- (b) Attend investigatory meetings and due process hearings;
- (c) To attend labor-management meetings;
- (d) To testify in legal proceedings if subpoenaed, and
- (e) To perform other duties if agreed to by the public employer in a collective bargaining agreement.

The duties described in this section are performed by designated representatives for the benefit of both the labor organization, public employees and the public employers. Many of the provisions set forth in this section already exist in many public employee collective bargaining agreements, or in practice to a greater or lesser degree. The proposed changes would ensure that all designated representatives receive the same protections under state law to perform the mutually beneficial duties required by the labor organization to represent public employees.

Section 4 of the bill allows the exclusive representative and public employers to negotiate the provisions of release time for public employees to serve as representatives of the Union in and outside of the workplace. This Section also secures designated representatives protection in the event they utilize release time. The changes proposed in this section clarify existing law and precedent, and are consistent with generally accepted standard practice. The changes would help to avoid disagreements between employers and labor organizations about the ability of employers to provide release time under state law.

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The activities performed by the designated representative in Section 4 may include activities described in Section 3 in addition to activities involving an exclusive representative's affiliated labor organization. Unless otherwise agreed to, the union shall reimburse the public employer for compensation, including employer contributions towards benefits, paid to the designated representative during the period of release time. A public employer is not liable for the acts of designated representatives performed in the scope of the employee serving as designated representative and shall be indemnified by the union if held liable.

Section 10 simply provides clarity that public employers may grant paid release time under Section 4 or reasonable paid time under Section 3.

I'll close by saying many of the changes proposed in HB 2016 clarify existing law and precedent, and are consistent with generally accepted standard practice. We are asking you to support the Public Worker Protection Act, to codify best practices in state law that are in the best interest of both employees and employers.

Thank you,

Shirin Khosravi  
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