

March 11th, 2019

Chair Barker, Vice Chairs Bynum and Barreto, Members of the Committee,

Thank you for your time. We are organizations made up of working Oregonians who have come together to support House Bill 2016, The Oregon Public Worker Protection Act, which defends the workplace rights of Oregon's public workers.

HB 2016 puts in place common sense protections for public workers. Most of the language in this bill simply formalizes in statute agreements and best practices that are already widely accepted. The proposed changes aim to further the goals of the Public Employee Collective Bargaining Act ("PECBA"), as set forth in the Policy Statement in ORS 243.656. The Policy Statement encourages, among other things, "practices fundamental to the peaceful adjustment of disputes," and "the development of harmonious and cooperative relationships between government and its employees."

The Oregon Public Worker Protection Act does a number of important things:

1. Codifies established, recognized best practices that already exist in some form in many public sector workplaces. This would create consistency and equity throughout public employee collective bargaining agreements.
2. Provides exclusive representatives adequate and timely access to represented public employees to ensure that the employees are informed about their collective bargaining agreement, PECBA rights, and workplace matters, and have access to representation when needed. Under state law, labor organizations owe a duty of fair representation to members of represented bargaining units. ORS 243.672(2)(a). To fulfill its duty, a labor organization must be able to regularly interact and communicate with bargaining unit employees. Labor organization access to bargaining unit employees is also crucial to meeting the goals of the PECBA as outlined in the Policy Statement in ORS 243.656.
3. Ensures that employers cannot use their leverage to intimidate an employee and dissuade them from being part of their union.
4. Supports public employees' right to enter into agreements to support labor organizations and authorize deductions to support the organization and affiliated entities. The proposed changes clarify ERB precedent and set clear rules for payroll-deduction procedures.
5. Repeals sections of ORS 243.666 made inapplicable by Janus Supreme Court decision.
6. Prevents third parties from attempting to disrupt harmonious and cooperative labor relationships between public employers and represented employees using state resources.
7. Protects private personal information of public workers so that it will be harder for outside organizations to invade their private, personal time and space.

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 for your time.

