

March 23, 2021

Business and Labor Committee
Chair: Representative Holvey
Vice Chairs: Representatives Daniel Bonham and Dacia Grayber
Committee Members

In support of HB 3130

I believe this legislation restores the employer-employee relationship between school districts and substitute teachers.

I am a multi-district, licensed substitute teacher who has worked in districts who've outsourced to EduStaff as well as PERS covered districts. I've had several exchanges with PERS, EduStaff, and CTA the last few years. Since substitutes were first outsourced, I've researched and asked about EduStaff's LLC filing in Oregon, their business model nation-wide and for Oregon, and PERS.

Smaller, rural districts outsourced to EduStaff within months of EduStaff's LLC filing in Oregon. Both EduStaff and these school districts referred to the "rollover" to EduStaff as simple assumption of payroll responsibilities. Subsequent school district "rollovers" to EduStaff still present the outsourcing as assumption of payroll responsibilities. To remain a district substitute, we were mandated to complete packets of information, most already in the hands of the school districts. I worked in the private, corporate environment for a number of years. You do not become employees of the payroll vendor.

I had to repeatedly push for answers to the following questions:

- If an employee of EDUStaff, what about PERS, adherence to EDUStaff employee policies and procedures, reviews, pay, "pooled dispatching" factors, placement supervision, interaction with Oregon's TSPC ...
- If an employee of EDUStaff, what about non-availability given schedule conflicts, working in non-EDUStaff school districts or private schools, personal commitments?
- If not an employee of EDUStaff, why do I need to sign the employment forms in the "applicant packet?" -- OR -- Am I only going to turn in the customary "payroll" forms and proof of identification?

This is sleight of hand. I understand the economic motivations of some districts. However, I have to wonder if long term consequences were really considered. Substitute teachers perform their jobs on school property, during school hours, under the direction and supervision of the school principal. There is a shortage of substitute teachers. Outsourcing, constraint on reported hours to avoid ACA requirements, working without breaks, non-pay for mandatory training, ineligibility for PERS, and COVID are exacerbating the problem. Some have made the decision to walk away.

Thank-you for giving me the opportunity to provide input on this bill.

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