



Oregon Association of Justice Attorneys

AFSCME Local 1085

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Senator Prozanski, Vice-Chair Thatcher, and Members of the Committee:

I am Marc Abrams, and I have been an attorney at the Oregon Department of Justice since 2002 and President of our union, the Oregon Association of Justice Attorneys, since 2008. I am here today to speak in support of SB 424.

At the current time, in negotiating and setting wages, the Oregon DOJ is limited by law to comparing our salaries to attorneys working for the four surrounding states. The problem, simply, is those are not the entities that compete for legal services in Oregon. None of our lawyers have ever looked to the AG's offices in Nevada or Idaho for alternative employment – few even have Idaho or Nevada licenses -- and only a few have gone to the AGs in California or Washington. Many, however, leave for the Portland City Attorney, the Multnomah District Attorney and the Multnomah County Counsel, among others. Those institutions have higher wages and -- and this is the subject of another bill for another day – no billable hours. To recruit and retain, particularly to be attractive to the small number of minority lawyers in the State, requires being competitive not with other AGOs, but with local public law shops in the State of Oregon.

Quite simply, except for California, the bordering AGOs are not competitive and, again, are not the competitors. But because DOJ is limited by statute to looking at those four shops, it creates a requirement that we all bargain using data that has no meaning. Allowing more flexibility – and more realism – in what comparators are used in bargaining does not mandate increased wages. It does, however, mandate better decision-making based on better data. Which helps the State retain our best and brightest, which helps raise our success rate and lower the costs of State government. Bargaining would still follow the normal rules and processes with the normal give and take.

SB 424 would correct a mistaken presumption that has been baked into our collective bargaining laws for many years, and which hinders fair and equitable bargaining. OAJA asks your support for SB 424.

Thank You.