

SB 845 STAFF MEASURE SUMMARY

Senate Committee On Labor and Business

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Meeting Dates: 3/23, 3/28

WHAT THE MEASURE DOES:

Specifies panel of three arbitrators and process for selection of arbitrators for binding arbitration for certain public employees. Requires specified percentage of diverse arbitrators be included among list of potential arbitrators submitted by Employment Relations Board to parties in specified circumstances for consideration. Adds "overall working conditions" to list of criteria that arbitrators must consider in making their findings and opinions. Modifies comparison of overall compensation of other employees criteria arbitrators must consider to include comparison of overall compensation of other employees represented in a collective bargaining agreement or unrepresented employees. Adds provision to overall comparison of compensation criteria to include comparison to transit systems of other states when determining "comparable" for mass transit districts, transportation districts, and municipal bus systems. Requires parties to arbitration proceeding to submit last best offer package that includes parties' position on each unresolved subject matter item. Requires arbitration panel to select one position for each item and issue findings. Makes conforming amendments.

ISSUES DISCUSSED:

- Examples of current arbitration process
- Impact of current arbitration process
- Binding arbitration will not consider out of state comparators

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The Employment Relations Board (ERB) resolves disputes concerning labor relations for employers and employees in the public and private sector under its jurisdiction. The ERB administers the collective bargaining law governing public employees in Oregon. The Public Employee Collective Bargaining Act (PECBA) is contained in ORS chapter 243 and governs collective bargaining of public employees. PECBA outlines the dispute resolution process for public employees and employers during the collective bargaining process. The dispute resolution process varies depending on whether the employees are permitted to strike. Oregon law specifies which employees are not permitted to strike. For example, employees of mass transit districts, firefighters, and police officers are not permitted to strike.

Senate Bill 845 modifies procedures required for binding arbitration for certain public employees and requires that arbitration be conducted by a three-person arbitration panel.