

HB 3227 A STAFF MEASURE SUMMARY**Carrier:** Sen. Dembrow**Senate Committee On Education****Action Date:** 05/11/23**Action:** Do pass the A-Eng bill.**Vote:** 5-0-1-1**Yeas:** 5 - Anderson, Dembrow, Frederick, Gelser Blouin, Weber**Exc:** 1 - President Wagner**Abs:** 1 - Robinson**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Ellen O'Brien, LPRO Analyst**Meeting Dates:** 5/9, 5/11**WHAT THE MEASURE DOES:**

Increases population threshold for school districts required to have Custodians' Civil Service Board (Board) from 300,000 to 475,000 or more people. Amends residency requirements for members of Board. Removes 10-day timeline for filling Board vacancies. Requires Board's assessment of custodial applicants to consider professional skill, prior experience, and bona fide factors. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Barriers to service on board and employment in custodial positions
- Continuing need for state-level law vs ability to address issues in collective bargaining

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The Custodians' Civil Service Law (ORS Chapter 242, Sections 310-640) requires school districts with a population of 300,000 or more people to have a Custodians' Civil Service Board (Board) with jurisdiction over the appointment, employment, classification, and discharge of custodians and assistant custodians in the school district. A Board is composed of three commissioners, appointed by the school board of the district to serve six-year terms. To be eligible for appointment, a person must be a voter in the school district, have lived in the school district for at least five years immediately preceding their appointment, not be a member or employee of the school board, and be known to be devoted to the principles of civil service. The Board is responsible for the establishment of hiring qualifications and examinations for custodians in a school district.

Portland Public School District established the Portland Custodians' Civil Service Board (PCCSB) following the passage of Senate Bill 260 in 1937. The PCCSB is an independent entity, responsible for the judicial oversight of the application and administration of the Custodians' Civil Service Law in the Portland Public School District.

House Bill 3227 A changes requirements to serve as a commissioner on the Custodian's Civil Service Board by removing requirement to be a voter in the school district and changing residency requirement from school district to Oregon. Further, the measure requires the Board to administer a practical assessment, rather than examination, of a custodial applicant's professional skill, and consider their prior experience and bona fide factors rather than an examination of physical qualifications, health, and manual skills.