

**HB 5008 A BUDGET REPORT and MEASURE SUMMARY**

**Carrier:** Sen. Anderson

**Joint Committee On Ways and Means**

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**Action Date:** 05/23/25

**Action:** Do pass the A-Eng bill.

**Senate Vote**

**Yeas:** 9 - Anderson, Broadman, Campos, Frederick, Lieber, Manning Jr, McLane, Smith DB, Sollman

**Nays:** 1 - Bonham

**Exc:** 1 - Girod

**House Vote**

**Yeas:** 11 - Bowman, Breese-Iverson, Cate, Drazan, Evans, Gomberg, Levy E, Ruiz, Sanchez, Smith G, Valderrama

**Exc:** 1 - Owens

**Prepared By:** Stacey Chase, Department of Administrative Services

**Reviewed By:** Kim To, Legislative Fiscal Office

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**Employment Relations Board**

**2025-27**

**Budget Summary\***

	2023-25 Legislatively Approved Budget <sup>(1)</sup>	2025-27 Current Service Level	2025-27 Committee Recommendation	Committee Change from 2023-25 Leg. Approved	
				\$ Change	% Change
General Fund	\$ 3,548,203	\$ 3,882,449	\$ 4,123,111	\$ 574,908	16.2%
Other Funds Limited	\$ 2,816,298	\$ 3,075,897	\$ 3,256,296	\$ 439,998	15.6%
Total	\$ 6,364,501	\$ 6,958,346	\$ 7,379,407	\$ 1,014,906	16.0%

**Position Summary**

Authorized Positions	13	13	14	1
Full-time Equivalent (FTE) positions	13.00	13.00	14.00	1.00

<sup>(1)</sup> Includes adjustments through January 2025

\* Excludes Capital Construction expenditures

**Summary of Revenue Changes**

The Employment Relations Board (ERB) is funded by a combination of General Fund and Other Funds. ERB’s government-related activities are supported by an Other Funds assessment of \$3.00 per covered employee per month for the 2025-27 biennium, which accounts for 39% of total revenue. The budget assumes 40,000 positions will be subject to assessment generating \$2.9 million Other Funds revenue. In addition to the state employee assessment, ERB projects collection of \$0.4 million (representing 5% of total revenues) from fees for service and other business fees for conciliation services, unfair labor practice complaint and answer filings, and other miscellaneous activities.

The 2025-27 budget for ERB also includes \$4.1 million General Fund to support labor relations functions conducted on behalf of local governments. The recommended budget results in an ending balance of \$664,393 Other Funds, which provides approximately five months of operational costs based on the 2023-25 Other Fund expenditures.

**Summary of General Government Subcommittee Action**

The mission of the Employment Relations Board is to respond to requests for assistance and training in collective bargaining and labor/management relations, and to resolve disputes concerning employment relations for all of Oregon’s public employers (and some smaller private-sector employers) covering approximately 250,000 employees. The Agency provides several services to help public employers, their employees, and involved labor organizations resolve their disputes, including mediation, training, facilitation, contested case hearings, and representation matters.

The Board consists of a three-member panel appointed by the Governor and approved by the Senate. The Board acts as the state’s “labor-law court” for labor and management disputes within state and local government and school districts. The Board issues final agency orders in contested case adjudications of unfair labor practice complaints, representation matters, appeals from state personnel actions, declaratory rulings, and other related matters. Finally, the Board administers state labor laws covering private sector employees who are exempt from the National Labor Relations Act. The Board Chair acts as the agency administrator in addition to handling regular board member duties.

The Subcommittee recommended approval of a budget of \$7,379,407 total funds (\$4,123,111 General Fund and \$3,256,296 Other Funds expenditure limitation) and supports 14 positions (14.00 FTE). This represents a total fund increase of 16.0% from the 2023-25 legislatively approved budget, which includes the addition of one permanent position (1.00 FTE).

### **Administration**

Administration is responsible for managing personnel, payroll, equipment, and information technology for ERB. The Division coordinates and supervises the support staff and oversees daily office functions. The Division is also responsible for budget preparation, performance measure coordination and reporting, affirmative action, information security, and business continuity planning. The Administration Division contains the three-member Employment Relations Board, which issues final agency orders in declaratory rulings, contested case adjudications of unfair labor practice complaints, representation matters, and appeals from state personnel actions. The Board administers state labor laws covering private sector employees exempt from the National Labor Relations Act. The Board Chair is the agency administrator. The Administration Division is funded by a combination of General Fund and Other Funds primarily received from the state assessment.

The Subcommittee recommended approval of a budget of \$3,428,691 total funds (\$1,919,215 General Fund and \$1,509,476 Other Funds expenditure limitation) and five permanent positions (5.00 FTE). The Subcommittee recommended approval of the following package:

Package 100: Additional Mediator. This package authorizes the establishment of a permanent mediator position and related services and supplies costs, to expand the Agency’s ability to provide training, facilitation, and mediation services to assist public employers and labor organizations in resolving collective bargaining disputes.

### **Mediation**

The Mediation Office consists of the State Conciliation Services program. Staff provide mediation and conciliation services to help parties resolve collective bargaining disputes, contract grievances, unfair labor practices, and State Personnel Relations Law appeals. Staff also provide training in interest-based bargaining, labor/management problem-solving, and other similar programs designed for the specific needs of the parties. This Office also maintains a list of qualified labor arbitrators who are available to assist parties in a labor dispute (and appoints an arbitrator in certain matters). The program’s customers include state and local government entities and their employees, labor organizations, and private sector employers and their employees who are exempt from the National Labor Relations Act.

The Subcommittee recommended approval of a budget of \$1,984,394 total funds (\$1,112,153 General Fund and \$872,241 Other Funds expenditure limitation) and five permanent positions (4.50 FTE). The Subcommittee recommended approval of the following package:

Package 100: Additional Mediator. This package authorizes the establishment of a permanent full-time mediator position and related services and supplies costs, to expand the Agency's ability to provide training, facilitation, and mediation services to assist public employers and labor organizations in resolving collective bargaining disputes.

### **Hearings**

The administrative law judges (ALJs) conduct contested case hearings on unfair labor practice complaints filed by state and local public employers, public employees, and labor organizations. ALJs also conduct contested case hearings on state personnel appeals and representation matters referred by the election coordinator. Following contested case hearings, ALJs issue recommended orders, which precede final orders of the Board. When appropriate, ALJs work with the parties to reach a mutually agreeable settlement without a hearing. Some cases are referred to the Agency's Conciliation Service Office for mediation. There are also circumstances in which the three-member Board might preside over a hearing in the first instance, typically because one or both parties request the matter be expedited or the parties seek a declaratory ruling from the Board. The election coordinator processes all petitions involving union representation and composition of the bargaining unit, conducts elections when necessary, and certifies election results. ALJs resolve contested petitions, which are forwarded to them by the election coordinator.

The Subcommittee recommended approval of a budget of \$1,966,322 total funds (\$1,091,743 General Fund and \$874,579 Other Funds expenditure limitation) and four permanent positions (4.50 FTE).

### **Summary of Performance Measure Action**

See attached Legislatively Adopted 2025-27 Key Performance Measures form.

**DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION**

**Employment Relations Board  
Stacey Chase -- 503-689-4308**

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
2023-25 Legislatively Approved Budget at Jan 2025 *	\$ 3,548,203	\$ -	\$ 2,816,298	\$ -	\$ -	\$ -	6,364,501	13	13.00
2025-27 Current Service Level (CSL)*	\$ 3,882,449	\$ -	\$ 3,075,897	\$ -	\$ -	\$ -	6,958,346	13	13.00
<b><u>SUBCOMMITTEE ADJUSTMENTS (from CSL)</u></b>									
<b>SCR 030 - Administration</b>									
Package 100: Additional Mediator									
Services and Supplies	\$ 13,337	\$ -	\$ 8,890	\$ -	\$ -	\$ -	22,227		
<b>SCR 040 - Mediation</b>									
Package 100: Additional Mediator									
Personal Services	\$ 216,732	\$ -	\$ 169,043	\$ -	\$ -	\$ -	385,775	1	1.00
Services and Supplies	\$ 10,593	\$ -	\$ 2,466	\$ -	\$ -	\$ -	13,059		
<b>TOTAL ADJUSTMENTS</b>	<b>\$ 240,662</b>	<b>\$ -</b>	<b>\$ 180,399</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>421,061</b>	<b>1</b>	<b>1.00</b>
<b>SUBCOMMITTEE RECOMMENDATION *</b>	<b>\$ 4,123,111</b>	<b>\$ -</b>	<b>\$ 3,256,296</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>7,379,407</b>	<b>14</b>	<b>14.00</b>
% Change from 2023-25 Leg Approved Budget	16.2%	0.0%	15.6%	0.0%	0.0%	0.0%	16.0%	7.7%	7.7%
% Change from 2025-27 Current Service Level	6.2%	0.0%	5.9%	0.0%	0.0%	0.0%	6.1%	7.7%	7.7%

\*Excludes Capital Construction Expenditures

# Legislatively Approved 2025 - 2027 Key Performance Measures

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**Agency:** Employment Relations Board

**Mission Statement:**

The mission of the Employment Relations Board is to resolve disputes concerning labor and employment relations.

Legislatively Approved KPMs	Metrics	Agency Request	Last Reported Result	Target 2026	Target 2027
1. Union representation - Average number of days to resolve a petition for union representation when a contested case hearing is not required.		Approved	34	45	45
2. Recommended orders - Average number of days for an Administrative Law Judge to issue a recommended order after the record in a contested case hearing is closed.		Approved	91	100	100
3. Final Board orders - Average number of days from submission of a case to the Board until issuance of a final order.		Approved	22	30	30
4. Mediation effectiveness - Percentage of contract negotiations disputes that are resolved by mediation for strike-permitted employees.		Approved	91%	95%	95%
5. Appeals - Percentage of Board Orders which are reversed on appeal.		Approved	0%	5%	5%
6. Mediation effectiveness - Percentage of contract negotiations disputes that are resolved by mediation for strike-prohibited employees.		Approved	100%	85%	85%
7. Customer Satisfaction - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall, timeliness, accuracy, helpfulness, expertise, and availability of information.	Expertise	Approved	90%	95%	95%
	Helpfulness		100%	95%	95%
	Accuracy		87%	95%	95%
	Timeliness		83%	95%	95%
	Overall		90%	95%	95%
	Availability of Information		83%	95%	95%

**LFO Recommendation:**

The Legislative Fiscal Office recommends approval of the proposed Key Performance Measures and targets, as presented.

**SubCommittee Action:**

The General Government Subcommittee approved the Legislative Fiscal Office recommendation.