

February 17, 2025

Chair Frederick, Vice-Chair Weber, honored committee members, again I'm Michael Dembrow, former chair of this committee, and I'm grateful for this opportunity to speak to you in support of SB 313, a committee bill that has been drafted for your consideration. It calls for consideration of a potential process for statewide bargaining of the salary and benefits portions of the collective bargaining agreements for licensed teachers. It's the next step in a process that began with SB 283, the education workforce omnibus bill that we passed in 2023.

You'll recall that one of the elements of SB 283 was the creation of the Task Force on Statewide Educator Salary Schedules, co-chaired by House Education Chair Neron and by me. It included teachers, classified, administrators, and parents, as well as representatives from both union and management organizations. It was quite an extensive process, as Co-Chair Neron and I pointed out in our transmittal letter of the final report:

*The Task Force met 16 times between August 2023 and September 2024. It was an extensive process of learning and analysis, receiving information from a number of experts, union leaders, and agency professionals from Oregon, other states, and from Canada. We came to a much better understanding of the challenges in our current funding/spending processes, including instances where the legislative appropriations process and the decision-making and collective-bargaining processes of our 197 independent school districts could be better aligned. We saw how other states and provinces are addressing similar challenges.*

One of the charges of the task force was to explore and propose a potential statewide salary schedule for educators. This was part of the overall goal of attracting more Oregonians into the education workforce, both licensed teachers and classified staff, retaining them, and creating more stability in the districts.

In doing so, we also found ourselves confronting a number of challenges revolving around the fact that we have 197 separate collective bargaining processes for teachers and an equal number or more for classified. Ever since the passage of Measure 5 in 1990 and the consequent decision by the Legislature to equalize school funding, nearly all of the money that funds school employee salaries comes from the state. However, salary and benefit decisions are a function of local bargaining and their negotiation processes are generally disconnected from the legislative appropriation process. Districts and employees settle their contracts and hope that there will be enough money coming from the Legislature to fund them without having to cut programs. Legislators find themselves having to make appropriations decisions without having a clear view of how the dollars are being spent on staff at the local level, and whether or not there is fairness and equity around the state.

From time to time since the passage of Measure 5 we've heard it argued that the state should consider a statewide bargaining process that brings the funder—the state—into direct negotiations with the districts and employees as a whole. These calls have always been resisted primarily because they were seen to interfere with the principle of local control. Nevertheless, Co-Chair Neron and I felt that it was something that the Task Force needed to explore and see if there were ways to create more statewide consistency, predictability, and sustainability while continuing to respect the need for local variation, flexibility, and creativity.

We looked first at how state employees bargain with the state and how that process interacted with the legislative process. We had presentations from the Department of Administrative Services and from the two bargaining agents, SEIU and AFSCME. AFSCME provided us with a PowerPoint presentation, which you'll find on OLIS. The process that AFSCME uses actually includes two parallel processes: a central table and a number of local tables. The central table addresses salary and benefits for all AFSCME state workers. Each state agency has its own local table, where they discuss non-monetary working conditions, which will vary from agency to agency. SEIU, on the other hand, has one table to negotiate all issues.

We also received a presentation from Andrew Davis, Assistant Deputy Minister at the Ontario, Canada, Ministry of Education, on the system that they've had in place for the last decade. You'll find that on OLIS as well. They use a roughly similar process for educators to the one that AFSCME uses for its state workers, with a central table to discuss salary and benefits and local bargaining at the school district level over non-monetary working conditions. The Assistant Deputy Minister told us that one of the strengths of this system is the close alignment of funding and spending. We also heard an assessment of this and British Columbia's provincial-wide education bargaining system from Dr. Sara Slinn, Associate Professor, Osgoode Hall Law School, York University, Toronto.

The task force members could see merits in moving salary and benefits negotiations out of the local setting while retaining local control over the other elements of working conditions, such as hiring, workload, discipline, professional development, etc. As we were discussing these issues, Portland Public Schools had just concluded its difficult strike and others were potentially in the works. We heard from task force members about the way that local bargaining over wages can become very disruptive and polarizing for the school community, especially in small rural districts. Allowing local bargaining to just focus on the non-monetary aspects of collective bargaining could be attractive (while recognizing of course that those other issues can also have some cost decisions attached to them).

Nevertheless, many questions remained, and the task force was far from being in a position to make a recommendation to the Legislature around statewide bargaining when it reached its deadline in September. However, as we pointed out in our final report, task force members did believe that we had laid a strong foundation for further work on these issues in the near future. The goal of SB 313 is exactly that.

It directs DAS to convene an advisory group to help it with the next step of developing a plan for potential statewide bargaining that would eventually come back to the Legislature for consideration. As currently envisioned, the plan would incorporate the two-prong model described above, with a central table for monetary issues and local bargaining for other issues. It envisions a careful, deliberative process with reports to the Legislature in December 2026 and December 2027, and recommendations for subsequent legislative action.

You'll notice that the process created by SB 313 currently only applies to licensed educators. One of the findings from the Task Force was that we currently have thousands of different job classifications and job descriptions for Oregon's classified educator workforce. Before any kind of statewide salary schedule or statewide bargaining could even occur for classified employees, the Legislature needs to direct DAS to do a classification analysis that would come up with a manageable set of common classifications that could be adopted by the local districts and allow for apples-to-apples comparisons. I believe that a bill has been introduced this session to direct that analysis.

Mr. Chair, Committee members, I urge you to vote to continue this work by passing SB 313. I'm happy to answer any questions that you may have, today or after the hearing.