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Haley Percell

TO: House Committee on Labor and Workplace Standards

FROM: Stacy Michaelson, Director of Government Relations & Communications

DATE: April 30, 2025

RE: SB 916 A

Chair Grayber, Vice Chairs Elmer and Munoz, Members of the Committee:

For the record, I'm Stacy Michaelson, here on behalf of the Oregon School Boards Association in opposition to SB 916 A. Our concerns about this bill can generally be categorized as fiscal and philosophical, but all falling under the umbrella of what is best for students.

I want to begin by thanking the proponents and Sen. Taylor for the time spent on the Senate side working to address the concerns of school districts. Unfortunately, we could only make so much progress.

The version of the bill before you, in Section 7, does include language that says for school district and ESD employees, any UI benefits paid due to a strike will be counted as part of their total compensation, and the employer shall deduct the benefits paid from future wages. This language will ensure that regardless what combination of backpay or makeup days a district might negotiate in a return-to-work agreement, the district will not face the risk of paying the cost of UI benefits on top of their bargained salary and benefits.

However, this language has its limitations. Number one, we could not find a way for OED to take on more of this administrative burden, meaning that if a district finds itself in this situation, they will be reliant upon OED to timely get them the information necessary to adjust future paychecks as needed and the business office will need to adjust each individual employee's paycheck accordingly. This will add a significant workload for district staff.

Number two, this only limits the amount a district will spend on striking workers. If teachers go out on strike, the district still has classified staff that either keep working and are paid or that may face a reduced schedule, which could potentially make them eligible for UI as well. Those same classified staff would also need to be paid for any additional student contact days added to the calendar after a strike. So while SB 916 A limits the cost of UI for striking workers, it does not offer protection for any additional staff costs caused by the strike.

Continuing with the technicalities, folks have described the version of the bill that passed the Senate as having a two-week waiting period. Technically, the bill includes a

week of ineligibility followed by standard eligibility, which includes the requirement to serve a waiting week. However, claimants only serve one waiting week per benefit year, so any staff member who had claimed UI in the prior 12 months would not face a second waiting week. In 2023, the Legislature made all classified school employees eligible for unemployment over regularly scheduled school breaks. So, for example, if a classified unit went out on strike in the fall, it is possible that many of those workers would have claimed UI over the summer and therefore would begin receiving benefits immediately following the week of ineligibility.

This is where I want to pivot a bit to the philosophical opposition to the bill. At OSBA, we believe that SB 916 shifts the balance of bargaining established by PECBA such that we are likely to see more or longer strikes. I believe the viewpoint that this will result in fewer strikes or end strikes faster relies on a presumption that employers may not be bargaining in good faith. While I can't speak to all employers, I can say that school district leaders are bargaining with the best interest of students in mind, and within the confines of the public dollars available to them.

Strikes undoubtedly add pressure to the bargaining process. In the context of schools, they also cause disrupted and/or lost learning time. We believe that anything that increases the odds of a strike is not in the best interest of students.

For some context, I can share that many districts are already facing significant budget cuts for the coming school year. And we still have many unknowns about potential federal funding reductions. This does not feel like the time for Oregon to be on the front lines by passing the most liberal UI policy for striking workers in the country, which this would be.

Thank you for your time and consideration.