

# State pays bonuses, salaries in unreliable manner

SALEM (AP) — The way the state pays employees is in such disarray it makes little sense, with some workers paid too little and others too much, according to a secretary of state's audit.

The state's pay system is "so riddled with exceptions, inconsistencies and lack of information, that it is not a reliable way to understand how state workers are actually paid," Secretary of State Phil Keisling said.

Keisling said the audit showed abuse of the state's practice of awarding special pay to employees based on labor market conditions.

These so-called "pay-line exceptions" cost the state at least \$5.6 million in unjustified bonuses based on a sampling of state job classifications.

The bonuses are supposed to go to top priority jobs, situations in which it is difficult to find qualified candidates and to bring public employees up to the pay standards enjoyed by their private sector counterparts.

One-third of all state workers get extra money and in many cases, the bonuses are negotiated through collective bargaining.

However, a sampling of 16 job classifications found no justification — by either the labor market, employee turnover or other data — for bonuses given to 4,516 state workers in nine categories.

Bonuses were instituted for registered nurses

when the state was having a hard time recruiting them. With 290 nurses on the waiting list for state jobs, the bonuses are no longer necessary.

Alice Dale, executive director of the Oregon Public Employees Union, said if the state cuts back on the extra money it probably will have trouble recruiting and retaining workers.

The audit found that in at least 14 cases, former managers were reclassified as line workers but kept their managerial salaries and qualified for extra pay as "lead workers."

Two of these workers, who were not identified, ended up making \$3,000 more a year after they were demoted.

At the same time, state workers in general are paid less than private sector employees, according to both the audit and a separate report from the state Legislative Fiscal Office.

State workers have fallen behind because their salaries have been frozen since early 1993, the report said. The average state worker was 10 percent below private market compensation as of last October.

Unless the workers get a pay hike, the report predicted, that gap will grow to 13 percent by the end of 1995. The report blames Measure 8, the voter-approved initiative that requires public employees to contribute 6 percent of their pay to their pensions.

## MEASURE

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Frohnmayr also said the measure violates provisions in the Oregon Constitution that states an initiative can amend, but not revise, the constitution.

"The changes of Measure 8 are so sweeping," Frohnmayr said. "They are a revision."

The third argument the plaintiffs make is that the initiative is legislative in nature.

"You cannot put legislation into the constitution," he said. "You can only put constitutional type directives in the constitution. Measure 8 is legislative in nature and therefore does not belong in the constitution," Frohnmayr said.

Frohnmayr has worked as

an unpaid, unofficial consultant of the Eugene law firm, Harrang Long Gary Rudnick PC, to draft and edit the challenge.

The challenge requests action for a declaratory judgment, Frohnmayr said, which means the plaintiffs are asking the court to make a declaration that the measure is unconstitutional without the presence of a jury.

Even if just one part the measure is found to be unconstitutional, the entire measure will be thrown out, Frohnmayr said.

"We hope it will be moved very rapidly to summary judgment after the Attorney General's office, who has to defend it, has filed its answer," the University president said.

# Two juveniles accused of shooting migrant worker go on trial

WENATCHEE, Wash. (AP) — Judge John Bridges stood on the edge of a steep embankment Thursday, looking down to the edge of the Columbia River where police say two 12-year-old boys shot a migrant worker 18 times last summer.

Bridges, acting as a Chelan County Juvenile Court judge, went to the river bank at dusk at the end of the first day of John Duncan's trial for first-degree murder.

Bridges is hearing the case without a jury.

Duncan and Manuel Sanchez, both of Wenatchee, are charged with first-degree murder in the Aug. 20 shooting death of seasonal worker Emilio Pruneda. Sanchez goes on trial next Wednesday. If convicted, the youths can be held in juvenile facilities until they are 21.

Deputy Prosecutor Gordon Edgar asked the judge to view the site where Pruneda was killed after eight police officers described the location in testimony.

"The pictures we have and the diagrams do not do justice to the scene," said Edgar, adding he wanted the judge "to know this

terrain, ... to see how the body was situated."

Defense lawyer Neil Fuller objected, saying the site would have changed since the shooting. But Bridges, while conceding he really didn't want to go out into the cold, overruled the objection.

In statements to police, both boys acknowledged shooting Pruneda. But Duncan said he reloaded two guns, then stood over the wounded man and emptied the bullets from both guns into Pruneda's body.

The boys said Pruneda threw rocks at them after they fired too close to him with guns they had stolen that afternoon and taken to the river with which to play.

Bridges, Fuller and Edgar were accompanied to the site by two police officers and Sanchez's defense lawyer, Tom Caballero.

They squeezed through a fence's chained gate then slid down a steep hill to get to railroad tracks that sit atop a steep embankment.

Wenatchee police officer Traci Gordon testified she had watched from a hill 300 yards above the embankment as Duncan twice ran up the embankment, once kneeling by a gym bag where police say he had stashed extra ammunition.

Sanchez had come up the

embankment once, then sat near the gym bag while Duncan went down toward the river again, she said.

Sgt. Terry Pippin showed Bridges the trail the youths allegedly used and pointed out Pruneda's campsite, where a blanket remained.

Pippin jumped onto a rock where Duncan told authorities he stood as he emptied the bullets from two guns, shooting toward Pruneda, whose body was found

just out of the water.

Officer Randy Yarnell of the East Wenatchee Police Department testified earlier Thursday he had watched through binoculars from across the river as Duncan aimed at Pruneda.

Duncan "went out on a rock, and raised his arm. Then I heard gunshots, numerous gunshots," Yarnell said.

Edgar said he expected the trial to end Friday.

### ■ CORRECTION

In the Thursday edition of the *Emerald*, the man on the front page was incorrectly identified as a panhandler. We regret the error and are sorry for the inconvenience.



## OPEN RECREATION HOURS Winter 1995

These hours are in effect from January 4 through March 15, 1995, except for University vacations, holidays and special events, or when scheduled for classes, intramurals, athletics or club sports. Gerlinger Annex open hours end March 10 at 7pm.

<b>ESL Building Hours</b>	MU/WH	6:40am-12:30am
	F	6:40am-9:30pm
	Sat.	10:00am-8:00pm
	Sun.	12:00pm-5:00pm
<b>Gerlinger Annex</b>	Sat.	12:00pm-5:00pm
	Sun.	CLOSED
<b>Leighton Pool</b>	M	6:45am-8:00am; 11:00am-1:00pm; 10:30pm-12:00am
	UH	6:45am-8:00am; 11:00am-1:30pm; 10:30pm-12:00am
	W	6:45am-8:00am; 11:00am-1:00pm; 7:00pm-9:00pm
	F	6:45am-8:00am; 11:00am-1:00pm; 7:00pm-9:00pm
	Sat.	11:00am-1:00pm
	Sun.	1:00pm-4:00pm
<b>Gerlinger Pool</b>	MWF	12:00pm-1:00pm; 5:00pm-6:30pm
	UH	5:00pm-6:30pm
<b>Harry Jerome Weight Room</b>	MW	6:45am-8:00am; 12:00pm-1:00pm; 3:30pm-12:00am
	UH	6:45am-8:00am; 11:30am-1:30pm; 3:30pm-7:25pm; 10:00pm-12:00am
	F	6:45am-8:00am; 12:00pm-1:00pm; 3:30pm-8:30pm
	Sat.	10:30am-7:30pm
	Sun.	12:15pm-4:45pm
<b>Open Gyms</b>		
Basketball (Esl 38)	MUH	1:30-3:30pm; 7:30pm-12:20am
	W	1:30-3:30pm; 8:30pm-12:20am
	F	1:30-3:30pm; 7:30pm-9:30pm
(Esl 43)	MUH	11:00am-1:00pm; 7:30pm-12:20am
	W	11:00am-1:00pm; 8:30pm-12:20am
	F	11:00am-1:00pm; 7:30pm-9:30pm
Badminton (GX B54)	UH	7:00pm-9:00pm
Volleyball (GX B54)	F	3:30pm-7:00pm
Indoor Soccer (GX 352)	MW	3:30pm-5:00pm
(GX 350)	F	5:00pm-7:00pm
<b>Esl. Racq. Cts.</b>		same as ESL building hours
<b>Outdoor Racq. Cts.</b>	MU/WH	6:45am-12:30pm; 3:00pm-12:20am
	F	6:45am-12:20am
	Sat./Sun.	8:00am-10:00pm
<b>Covered Tennis Courts</b>	MU/WH	6:45am-1:30pm; 5:30pm-12:20am
	F	6:45am-3:30pm; 5:30pm-12:20am
	Sat./Sun.	8:00am-10:00pm
<b>ESL Cage Hours</b>	MU/WHF	7:00am-9:30pm
	Sat./Sun.	CLOSED
<b>Ger Cage Hours &amp; Locker Room Hours</b>		
	MWF	7:45am-7:00pm
	UH	8:15am-7:00pm
	Sat./Sun.	CLOSED

### Holidays

Martin Luther King, Jr. Day: Pools and all indoor facilities will be closed. Free access is available at the covered tennis courts and outdoor racquetball courts.

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