

AT THE OREGON LEGISLATURE: Labor's Agenda

PAST THE FINISH LINE

Local union-killing ordinances? Not in Oregon.

Remember the anti-union Taft-Hartley Act from history class? Passed in 1947, it allows states to ban any union contract that requires workers to pay union dues. Twenty-eight states have passed the so-called "right-to-work" laws since then, but for more than six decades, no one thought that the law meant cities and counties could pass right-to-work laws too. Then last November, the Sixth U.S. Circuit Court of Appeals said they could. The decision could open the floodgates to local legislation intended to weaken unions — in states where anti-union forces aren't strong enough to pass state right-to-work laws.

But in Oregon, lawmakers just said

"hell no" to that possibility. SB 1040 guarantees the right of employers and labor organizations in Oregon to agree to union contracts that require labor union membership as a condition of employment — to the full extent allowed by federal law. That guarantee means city and county elected leaders in Oregon can't pass "right-to-work" ordinances.

Because there's no clearer union-or-antiunion litmus test than right-to-work, the votes on SB 1040 leave no doubt who labor's most open enemies are in the Oregon Legislature. A vote against SB 1040 is a vote to allow local governments to cripple local unions. Who voted against it?

Republicans — but not all of them. [See the list below.]

SB 1040 passed the Senate 17-12 on April 25 and the House by 41-17 on June 5. As of press time, it was awaiting the governor's signature.

In both chambers, every Democrat voted for it. And in the Senate every Republican present voted against — in effect declaring themselves enemies of organized labor. In the House, 17 Republicans voted against it, but eight Republicans voted for it. The vote is important enough that every union member ought to know how their legislators voted.



The legislators who voted against SB 1040

OREGON SENATE

Brian Boquist (Dallas)
Alan DeBoer (Ashland)
Ted Ferrioli (John Day)
Fred Girod (Stayton)
Bill Hansell (Hermiston)
Tim Knopp (Bend)
Jeff Kruse (Roseburg)
Dennis Linthicum (K Falls)
Alan Olsen (Canby)
Kim Thatcher (Keizer)

Chuck Thomsen (Hood River)
Jackie Winters (Salem)

OREGON HOUSE

Greg Barreto (Cove)
Cliff Bentz (Ontario)
Sal Esquivel (Medford)
Jodi Hack (Salem)
Cedric Hayden (Roseburg)
Rick Lewis (Silverton)
Mike McLane (Powell Butte)

Mike Nearman (Independence)
Ron Noble (McMinnville)
Andy Olson (Albany)
Bill Post (Keizer)
Werner Reschke (K. Falls)
David Smith (Port Orford)
Sherri Sprenger (Scio)
Duane Stark (Grants Pass)
Gene Whisnant (Sunriver)
Carl Wilson (Grants Pass)

Limit the number of managers

Oregon public sector unions have been making this point for years: If you're looking to increase efficiency in government, look first at the managers. Don't cut the front-line staff who are doing the work. Since 2011, state agencies have worked to achieve a goal of having at least 11 workers for every manager. Now, HB 2332 requires state agencies with more than 100 employees to figure out a maximum ratio of supervisory employees to nonsupervisory employees, and report that to the Legislature every two years. State agencies that exceed their supervisory ratio can't fill supervisory positions unless they get an exemption from Oregon Department of Administrative Services. A work group studying the issue will report back by February 2019. [Passed House 57-3, Senate 30-0; awaiting governor's signature.]

A very small step against the very big problem of wage theft

It doesn't look like Oregon lawmakers will do much to combat wage theft this year, but they did pass one bill promoted by the union-backed Oregon Coalition to Stop Wage Theft. It has to do with employers falsifying timecards. All too often, unscrupulous employers force workers to submit, sign or attest to wage records that misrepresent the hours they've

worked — if they want to keep their job, or get paid. That can make it difficult to prove that wage theft occurred. (Wage theft is when an employer fails to pay workers the amounts they're legally owed in wages.) Right now, employers face no penalty for falsifying timecards. HB 3008 corrects that. It prohibits employers from requiring workers to create, file or sign documents about hours worked that contain information the employer knows is false. When that happens, HB 3008 gives workers the right to sue, and a court can order damages of \$1,000 or more per violation, plus attorney fees. The law also gives the Oregon Bureau of Labor and Industries (BOLI) the power to assess civil penalties up to \$1,000 per violation. [Passed House 53-5, Senate 23-4; signed by governor June 6.]

More opportunities for apprentices on state construction projects

HB 2162 mandates that state construction contracts of over \$5 million require contractors to make sure at least 10 percent of the work hours are performed by apprentices. The requirement also applies to subcontractors that do at least 25 percent or \$1 million of the work. Oregon Building Trades Council objected to the initial version of the bill, but supported the final amended version. [Passed House 53-3, Senate 26-4; awaiting governor's signature.]

STILL TO BE WORKED OUT



WHAT'S WRONG WITH THIS PICTURE? Outside the Oregon Capitol June 6, the T-shirt lays it out: Oregon's personal income tax accounts for 68.7 percent of the state budget, and its corporate income tax accounts for 5 percent.

Budget cuts, or corporate tax increases: What will they decide?

The Oregon Legislature is scheduled to adjourn July 10, but lawmakers still haven't finalized their most important work — deciding how much to spend on public services, and who to tax to pay for it. Oregon faces a \$1.4 billion budget shortfall over the next two years. Part of that is a long-planned reduction in federal funds for Medicaid (Oregon Health Plan). Legislators may increase taxes on the healthcare industry to maintain insurance for over a million Oregonians. And they may increase taxes on corporations, as a union-backed coalition is

demanding. Or they may not. Corporations pay lower overall taxes in Oregon than in any other state.

Major transportation investment

Top priority for Oregon building trades unions is a plan to invest \$8 billion in transportation infrastructure over the next decade. Lawmakers tried and failed to get Republican votes for that in the last legislative session.



Newest proposal to cut PERS

Egged on by business groups, lawmakers are looking at another cut to public employee retirement benefits. SB 1068, introduced June 6, would shift more of the cost of Oregon's Public Employee Retirement System (PERS) onto workers. Right now, participating public employers are on the hook for making up PERS system investment losses in the 2008 financial market meltdown. SB 1068 would divert 2 percent of payroll that's now going into employee retirement side accounts (IAPs) and use that to fill in the pension funding shortfall. It would start with 1 percent in July 2018 and then add another 1 percent during the 2019-2020 budget cycle. After that, if employer contributions increase more than 2 percent, the burden would be split 50/50 with employees — up to 4 percent of payroll.



HELD UP IN THE SENATE

Rights and Relief for Renters

About 1.5 million Oregonians — four out of every 10 residents — are renters, and rents have been rising fast. HB 2004 would relax a statewide preemption on local rent control ordinances: Cities or counties would be allowed to limit rent increases on rental properties that are more than five years old, so long as landlords are guaranteed a fair rate of return, and a hardship appeal process is established. The bill would also bar "no-cause" eviction after six months of occupancy. And it would require landlords with five units or more to pay tenants relocation expenses equivalent to one month's rent for a "good cause" eviction, such as significant renovation or sale. The bill passed the House 31-27 on April 4, and on June 8, the Senate Human Services committee voted to recommend

passage. But at press time, it appeared to be several votes short in the Senate.

Fair Work Week

SB 828 would require large retail, hospitality, and food services employers to provide new employees with an estimated work schedule, and give current employees two weeks' notice of their work schedule, pay for last-minute employer-requested schedule changes, and extra pay when shifts are separated by fewer than 10 hours. They would also have to offer additional hours to existing employees before hiring new employees or subcontractors. It passed the Senate Workforce Committee April 20 but is having trouble finding enough votes to pass the Senate, even though Democrats hold a 17-13 majority there.