

OREGON STATE **employee news**

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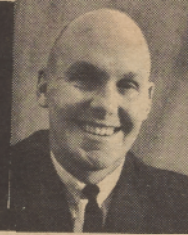
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From the . . . Executive Secretary



The Government Employee Relations Report, in its June 16 issue, reports an arbitrator's decision at the Charleston Naval Shipyard (federal service) regarding an employee who, when threatened by the fist of another employee, pulled a knife but was restrained by a supervisor before either employee suffered any harm.

The federal arbitrator held that a five-day disciplinary suspension of the knife-pulling employee was too severe. A written reprimand was held to be justified.

Let's contrast this holding with a happening in the Oregon civil service system:

Raymond Anderson and Donald Turner are correctional officers at the Oregon State Penitentiary. During a restless period in April after a fellow officer was stabbed by an inmate, Turner (who had been asked by the warden to contact Anderson and others who had been talking about a meeting of employees regarding security precautions) called Anderson on the prison telephone. An argument took place. Later, in the employee Club Room, Anderson allegedly advanced threateningly upon Turner. No blows were struck and the employees were separated without further incident.

Four days later, Anderson and Turner were dismissed from their employment. Anderson on the grounds of an attempted assault on a fellow officer, and Turner for allegedly improper use of the prison phone (commonly used by employees for personal conversations) and for failure to participate in a guard training program (which he had not attended for some time because of a physical condition from a job incurred injury, which was substantiated by a medical doctor). OSEA retained attorney Elton T. Lafky of Salem to represent the two employees at a civil service hearing.

In its "Findings and Order," most notable for the lack of any factual findings, the Civil Service Commission generously held that the "misconduct" of the employees was not "so gross as to justify dismissal." Instead, it decreed a suspension without pay for Anderson for a period of 90 days commencing April 21, 1969, and for Turner for a period of 180 days commencing the same date! The loss of pay in Turner's case approximates \$3,600!

Civil service rule 81-100 limits the period for which an appointing authority may suspend an employee to 30 days. The civil service law allows the commission to modify a dismissal order by directing a "suspension without pay for a given period." The Legislature did not limit the "period", but it can be assumed that it intended the time to be reasonable.

Can six months be considered a reasonable period of suspension for a \$600 per month employee with a wife and a son in college to support, even if one does not agree that the fuss between the employees was trivial and, as argued by their attorney, that the real cause for the dismissal appeared to be the employer's intolerance toward the "militant" attitude of two employees who had sufficient courage to try to do something about what they felt were poor and unsafe working conditions? (Turner was a vigorous secretary of the OSEA chapter at the prison and Anderson a member who had been talking about "going union", which was the apparent cause of their argument.) What is the limit on what the Civil Service Commission may direct as a penalty in a disciplinary proceeding?

We may have some answers to these questions when OSEA carries an appeal of the commission's order to the Marion County circuit court. In the meantime, there is food for thought in the difference between five days being "excessive" in the federal service, and a six-month suspension by a body supposed to be concerned with just treatment of employees in the Oregon civil service system.

Correspondence

To the Editor:

I want to use OSEA's newspaper to publicly thank staff member Jack Schoonover and the association for resolving my claim of improper dismissal from OSU's research vessel Yaquina.

I feel that it is unfortunate that the State Board of Higher Education hires individuals for management positions that are so incompetent and derelict in their duties as those concerned with my case.

Because of the improper method they used to dismiss me, and because at a later date they submitted false records to civil service stating I had resigned, it has cost the taxpayer money that need not have been spent.

Although I have been compensated by over \$500, it is the Oregon taxpayer who is paying for the incompetency of those in charge.

It goes without saying, of course, that I am glad I joined OSEA. May it long live.

Chris D. Thompson
Oregon City

(Editor's Note: A story outlining the facts of Mr. Thompson's dismissal appeared on the front page of last month's issue.)

To the Editor:

My wife and I are most pleased that our son, Michael, has been awarded a \$200 scholarship by the Oregon State Employees Association. But there was a small error in the information printed in the June issue of the NEWS. I am employed by the Oregon Fish Commission as superintendent of the new North Nehalem Salmon Hatchery. I have been asked by three different people when I had transferred.

Any state employees who are in our area are most welcome to drop by for a tour of the hatchery.

Quentin E. Smith
Chinook Chapter 58

(Editor's Note: In listing OSEA scholarship recipients last month, we mistakenly listed Mr. Smith's employer as the Oregon State Game Commission. We regret the error.)

To the Editor:

I would be most grateful if you would permit me to publish the following "open letter" to my fellow OSEA members:

I cannot thank you enough for what you have done for me. You have made it possible for me to represent the deaf people of the United States, and in doing so it will be an experience I will long remember.

Thank you so much for your help.

Janice Logan
Chapter 67

(Editor's Note: Miss Logan is a physical education instructor at the Oregon State School for the Deaf. OSEA chapters and individual members contributed \$665 to the fund to enable her to compete in the 11th International Games for the Deaf which will be held in Belgrade, Yugoslavia August 9-16.)

