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Court Rules State May Deviate From Academic Salary Schedule

Marion County Circuit Court Judge George A. Jones has ruled that the Board of Higher Education is not required to pay Oregon's academic employes in accordance with the academic salary schedule.

The ruling was made as he dismissed a suit brought against the board by OSEA in behalf of William M. Vandever, an assistant professor in the Division of Continuing Education.

Vandever was hired as a producer-director at the KOAP-TV station in Portland in 1964. Every year since then he has been paid less than the minimum salary prescribed for assistant professor.

Last year OSEA staff attorney John S. Irvin filed a complaint for declaratory judgment and supplemental relief against the board in which he sought recovery of the underpayments and a declaration that the board was obligated to pay Vandever at least the minimum amount for assistant professor that was prescribed by the board's salary plan.

Attorneys for the board contended that its salary plan was a guide, that it could pay above or below the designated salary ranges and that the statutes did not require it to pay its academic employes in accordance with any salary plan.

In his decree dismissing the suit, Judge Jones ruled that the board was not required to have salary scales setting mandatory minimum or maximum pay rates, and that the board owed Vandever no more than it had already paid him for his services.

"The decision apparently means that the Board of High Education does not hqve to comply with its own salary plan," Irvin said. "On the other hand," he said, "classified employes are required by law to be paid only in accordance with the classified employe compensation plan."

Tongue Point Firemen Get More Holiday Pay After Negotiations

Firemen at the Tongue Point Job Corps Center in Astoria are now getting more pay for the holidays they work as the result of more than two years of negotiations.

Those negotiations, at one time or another, involved OSEA, the Personnel Division, the University of Oregon, the Attorney General's office and the agency.

Tongue Point firemen have worked a schedule of 24 hours on, 48 hours off since 1969. They are allowed to sleep for eight of the 24 hours they spend on duty, but must remain at the fire station and answer all alarms. Time for two meal periods are allowed on the same basis.

Some time ago the Personnel Division advised Tongue Point to compute one 24 hour shift as 13 working hours for purposes of holiday pay, but to *deduct 16 hours for every such 24 hour shift during* which a fireman was sick or on vacation.

Following discussions with OSEA the Personnel Division revised its advice by reducing the number of hours deducted for each shift for sick leave from 16 to 13 hours.

Firemen did not object to the deduction of 16 hours per shift for vacation time but pressed the matter of sick leave and holiday pay by filing a petition for review with the Public Employe Relations Board. At that point the Attorney General's office became involved.

Clarence Kruger, assistant attorney general, worked out a system whereby vacation time, sick leave and holiday pay is computed on a basis that has been accepted by the firemen, OSEA, the Personnel Division, the University of Oregon and the agency.

Under the system vacation time is accrued at the statutory rate and 16 hours are deducted for each 24 hour shift during which a fireman is on vacation. Sick leave, although by rule is to be accrued at the rate of "one working day" per month (which, for a fireman, would be the equivalent of at least 13 hours), was left to accrue at eight hours per month, the same as other state employes, but 13 hours are to be deducted for each *24 hour shift during which a fireman is sick.*

That arrangement takes into consideration the fact that a fireman works far fewer shifts per month than the ordinary state employe and, therefore, the risk of losing time because of sickness is less.

Holiday pay is computed on the basis of 13 hours for every 24 hour shift. However, the hourly rate now used for the 13 hour shift basis is far greater than the hourly rate that had been previously used to compute holiday pay. Consequently, a fireman now earns almost $20 per shift more than he earned formerly for each holiday worked.

The new system has resulted in back holiday pay, computed for the last two years, of $370 for three of the Tongue Point firemen.

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28 Checks Await Missing Members

Last month the OSEA News printed the names of 98 former Association members who had checks totaling $1,523.49 awaiting them at the headquarters office.

Two weeks after the paper was distributed, 70 persons contacted OSEA's Salem and Portland offices to claim their money. There are still 28 checks waiting to be claimed.

The money is a portion of the $125,000 in accumulated insurance premiums that was returned to members who were enrolled in the OSEA-Standard life and income protection group insurance plans from July 1, 1969 through June 30, 1970. Most of the checks were returned because of incorrect addresses.

If you are one of the persons listed below, get in touch with OSEA's Salem or Portland office. We have some money for you.

Beck, Ronald J.
Breslin, Hazel J.
Chastain, Willis L.
Clemens, Robert M.
Dehn, Peter R.
Elam, Juanita C.
Gessner, John F.
Gould, Randolph J.
Green, Roy G.
Hall, Donald W.
Haradon, Barbara J.
Horn, Gladys T.
Irons, Joyce K.
Johnson, Clayton
Jolin, Jean E.
Kinnan, Wesley J.
McBride, Noel W.
McDonald, Simon A.
Mann, Alfred C.
Matson, David D.
Matthies, William R.
Morgan, Carolyn L.
Oliver, Janet D.
Peterson, Carla P.
Roberts, Steve
Stephens, Sylvia A.
Vosgien, Wayne A.
Warren, Charles H. Sr.

OSEA Records Gain For Seventh Month

For the seventh consecutive month OSEA has recorded a net gain of new members.

The April 1 membership report shows that 375 new members were enrolled in the Association during the month of March while 248 left state employment during that time. That left OSEA with a net gain of 127 members for the month.

OSEA has gained 787 new members since October. During those seven months it has enrolled 2,796 members and lost 2,009.

The report puts OSEA's total membership at 17,165—an all-time high in the 29-year history of the independent organization.

According to the report, seven of the Association's nine districts recorded net gains during March.

They were led by District Two and District Six, each of which gained 28 members. They were closely followed by District One with 26.

Next in line came District Nine with 18, District Three with 15, District Eight with 11 and District Four with 3.

District Five remained even, and District Seven suffered a net loss of 2.

Newport Chapter 11 led all of OSEA's 81 local chapters throughout the state with a net gain of 21 members.

Next came University of Oregon Medical School Chapter 41 in Portland and Fairview Chapter 57 in Salem with 11 each.

Tongue Point Chapter 96 in Astoria ended the month with a net gain of 9 new members, and Columbia Chapter 34 in Portland gained 8.

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