....But Some Are Buried or Die in Committees

House Committee Buries Bills Without Hearings

Three bills of varying interest to state employes, passed by the House, were tabled without hearings in the Senate State and Federal Affairs "burial" Committee in the closing days of the session.

One was an OSEA bill, House Bill 1534, which would have required state agencies to provide "fellow employe" witnesses requested by employes to testify in their behalf at Public Employe Relations Board hearings.

The second, House Bill 1801, would have extended the deadline for veterans preference on competitive job examinations from 6-to 12 years after separation from military service.

Another, House Bill 1982, originally gave welfare recipients a five point preference in civil service and merit system tests, but was amended in the House to merely state a public policy of assisting disadvantaged persons to gain public employment.

Bill Provides Court Review Of Rules-Regulations-Orders

Procedures for promulgation of state agency rules and orders and court review of their actions will be more clearly defined as the result of passage of House Bill 1213. It's an extensive revision of the state's Administrative Procedures Act.

OSEA secured amendments to HB 1213 to assure that the orders of the Public Employe Relations Board on personnel matters will be subject to court review. The Association's particular concern was with PERB decisions as to whether Personnel Division rules are in accordance with law and are not arbitrary or designed for political purposes.

In addition, most actions of the Personnel Division are subject to the APA. That does not include pay and classification decisions, nor certain actions taken by the governor.

Inclusion of the Board and Department of Higher Education under the APA is expected to have a significant effect on the employment relations of academic employes.

All Employes Now Under Wage Commission Rules

A bill which resulted from passage in the 1969 Legislature of OSEA-sponsored amendments making sex discrimination in employment illegal is on Gov. Tom McCall's desk for signature.

Senate Bill 526 extends the authority of the State Wage and Hour Commission over working conditions for women to include all employes.

The commission formerly was allowed to issue rules regarding meal and rest periods, overtime work and other matters necessary for the "preservation of the health of women." With the passage of the sex discrimination law, it was held that favoring women this way was discrimination in employment against men.

Retired Military Given $2,400 Tax Deduction

The first $2,400 of benefits received by retired military personnel age 65 or older may be subtracted from taxable income for state income tax purposes as the result of passage of House Bill 1283.

As introduced, HB 1283 would have made the benefits non-taxable regardless of age. However, Department of Revenue estimates that passage of the bill would cost the state $2 million a biennium caused the Senate Taxation Committee to modify its provisions so that the tax exemption is similar to what is given to PERS benefits.

Rep. Sid Bazett (R-Grants Pass), main sponsor of the bill, read into committee records an OSEA General Council resolution supporting the bill.

'Labor Peace Bill' Got Hearing Before it Died

OSEA's "public employe labor peace bill" received a polite and interested hearing before the Senate Judiciary Committee, but was not reported out of the committee for action.

Senate Bill 104 made public employe strikes unlawful in cases where the parties had not made full use of impasse procedures provided by the Public Employe Relations Board, or where the strike would endanger the public health or safety. Strikes under other circumstances would not be prohibited.

OSEA spokesmen predicted that public employe labor activities in the next two years will cause the 1973 Legislature to give more serious consideration to strike legislation. They said OSEA will continue to build support for SB 104-type legislation between sessions.

Bill Curtailing Employment Past Age 65 Struggles By

A highly controversial bill which will practically eliminate continued employment of classified employes after age 65 was signed into law by Gov. Tom McCall on June 8.

House bill 1907 originally provided that employes could be continued in employment after age 65 on a year to year basis if justified by the agency administrator. It was amended by the Joint Ways and Means Committee to prohibit employment in state service after 65, but was defeated in the House and re-referred back to the committee.

After the bill was amended to apply only to the classified service, it was sent to the House floor for a vote and defeated 32-23. However, it was reconsidered the following day and adopted by a 33-27 vote.

On its first vote in the Senate, HB 1907 failed 18-11. Again it was reconsidered and passed by a vote of 19-10.

Capitol observers can recall no other bill which has ever been defeated, then reconsidered and passed in both houses. The reconsideration and passage of the bill were attributed to intensive lobbying by employe organizations and Executive Department personnel.

HB 1907 carries a June 30, 1972 effective date. That will enable the retirees to obtain the higher retirement benefits which will result from HB 1397, effective January 1, 1972.

Stock Investment Gets Senate Yes, House No

Legislation authorizing stock investment of salary deductions for employe tax shelter plans passed the Senate but died in the House State and Federal Affairs Committee.

Senate Joint Resolution 12 was introduced by Sen. Victor Atiyeh (R-Beaverton). If passed, the stock investment authorization would have required a constitutional amendment to be approved by the voters.

Bill Permits Faster PERS Account Refund

The Public Employes' Retirement System will soon be permitted to refund the contribution account of a terminating employe less than 30 days after his separation from state service.

That authority is contained in Senate Bill 114 which was signed by Gov. Tom McCall on May 7. It will take effect 90 days from the June 10 legislative adjournment date.

The bill also requires the employer to transmit an employe's withdrawal request "forthwith" to the PERS. In addition to the 30 days wait required by law, the slowness of some state agencies to forward notices of separation to PERS sometimes resulted in long waits for contribution refunds.

The PERS is authorized under the new law to deny or recover a withdrawal when the employe does not remain absent from the payroll for a calendar month following the month in which he separates from service.

Collective Bargaining Bill Spent Session in Committee

A bill which would have improved collective bargaining procedures by confirming the ability of the Public Employe Relations Board to get court enforcement of its orders was kept bottled up and died in a subcommittee of the House State and Federal Affairs Committee.

Primary opposition to the bill, House Bill 1044 would have made bargaining mandatory upon all public employers.

OSEA used HB 1044 as a vehicle for amendments which would have allowed an agency shop provision in collective bargaining contracts, and clarified who is the "employer" in state service. The proposed amendments died with the bill.

Bills Tabled or Amended To Meet OSEA Objections

A series of Executive Department bills which OSEA said would seriously undermine the state's merit system of personnel administration were either tabled by the Joint Ways and Means Committee or amended to meet employe objections.

House bill 1904, relating to certification of names from lists, and HB 1905, which provided for "adequate" rather than "two weeks" notice of tests, were relegated by the Ways and Means Committee to the "back of the book" and were not acted upon.

HB 1902, 1903 and 1908, as amended, would make several "housekeeping" changes in the Personnel Division; would permit removal of names from lists in certain designated instances; and would create limited duration appointments for certain technical and professional employes on federally funded projects.

Provisions in HB 1903 which would have waived competitive job examinations in cases of "disadvantaged" persons were deleted and approaches for aiding welfare recipients and others combined in HB 1982. The latter bill died in the Senate State and Federal Affairs Committee.

Divided Opinion Kills Twice-a-Month Pay Bill

A bill which had as one of its purposes changing state paydays from once a month to every other Friday died in the Joint Ways and Means Committee.

Because employes were divided on support of or opposition to the bill, House Bill 1901, OSEA took no position on it. Dennis Hayden, president of Salem Chapter 1, presented to the committee a petition bearing 500 signatures opposing a change in pay days.

Executive Department spokesmen said that if the pay periods were not changed, it might have to consider building a "time lag" into the present pay procedure. That could change some present pay days from the 1st of the month to the 5th.

Pensions Hiked For 300 State Employes

Some 300 state employes who retired between January 1, 1968 and June 16, 1969 will get increased pensions for their years of service after age 65.

The improved benefit will come as the result of Senate Bill 622, introduced by Sen. Richard Hoyt (R-Corvallis). It will extend the increased benefits to the group of employes who an attorney general's opinion said were not eligible for the benefits provided in a bill for past-65 employes passed in the 1969 legislative session.

Rep. Robert Ingalls (R-Corvallis), author of the 1969 legislation, steered the bill to passage in the House. Both the 1969 and 1971 bills received strong support from OSEA.