OSEA Says MVD Officials Intimidated Employes

OSEA has asked the Motor Vehicle Division to remove its director of field services from all authority over employes and to reprimand three other officials for "acts of intimidation."

The request was made to Chester W. Ott, MVD administrator, by John S. Irvin, OSEA attorney.

Irvin charged that three employes who work in the North and East Portland offices—Sam Stange, Orville Brewster and Edith White—were intimidated and harrassed for using an agency telephone to talk about an employe meeting.

MVD officials who harrassed and intimidated the employes, according to Irvin, were Robert Clem, director of field services; Merle Graham, manager of the East Portland office; Robert Neihart, assistant manager of the East Portland office; and D.W. Christianson, personnel officer.

Irvin said all three employes were chastised and threatened by Clem, Graham, Neihart and Christianson because they used the telephone. In addition, he said Mrs. White was "demoted out of her trial service position in the North Portland office."

"The facts show that no work time of any of these three employes was used for Association business," Irvin said. "The only thing that could be remotely criticized is the use of a state telephone to communicate with regard to a meeting concerning employment conditions and to communicate with regard to a possible grievance."

"If there was any misdeed at all, which OSEA denies, it was so insignificant and slight, especially when measured against the right of state employes to involve themselves in labor organizations, that any self-respecting administrator would be embarrassed to give it more than passing attention," he declared.

Irvin said the morale of employes in the Motor Vehicle Division "is rapidly approaching a crisis situation because of this type of treatment of employes and because of other hiring and promotion practices designed to reward layalty to individuals and punish dedicated public service."

"The acts of intimidation described herein are a symptom of a dictatorial approach to personnel management which must be reversed immediately at all resonable costs," he said.

Irvin asked Ott to rescind the trial service termination of Mrs. White and restore her to her former job with full back pay.

He also asked Ott to issue a directive to all managerial and supervisory personnel informing them that disciplinary action will be taken against anyone who "pressures, harrasses, chastises or otherwise intimidates" employes for their OSEA or employment relations activities.

Grievance Resolved For OSU Employes

A grievance that OSEA filed with Oregon State University President Robert MacVicar on behalf of 491 employes has been resolved without a formal hearing.

The grievance, filed by staff member John M. Schoonover, concerned a new method of preparing merit ratings instituted about one year ago by the OSU personnel office.

Schoonover asked MacVicar to rescind the memorandum which established the new merit rating system. In addition, he asked that all merit ratings issued under the new system be voided and replaced by merit ratings completed under previously existing instructions.

The matter was resolved following a series of meetings between Schoonover and G.M. Robertson, director of fiscal affairs at the Corvallis school.

OSU officials agreed to withdraw the new merit rating form and return to the old six-column form that was previously used.

However, employes rated under the new system will not be re-rated because the administration did not feel "any substantial problems have been created by its use which would justify such action."

Deadline Near For Cash Dues

OSEA members who pay their dues in advance are reminded that September 1 is the deadline for payment.

Dues may be paid for a six-month period ($12.00), or for a year ($24.00).

Cash paying members should pay their dues promptly in order to avoid the possibility of jeopardizing their insurance under the various OSEA group plans.

Members who wish to switch to monthly payroll deduction, a more convenient method of paying dues, may get the necessary form from their chapter secretary, or from OSEA headquarters, 1515 State Street, Salem, 97301. The telephone number is 581-1505.

Membership Count Increased by 17

OSEA's total membership went up last month, but only by 17 members.

The August 2 membership report shows 244 new members were enrolled while 227 left state service. It puts the Association's total membership at 17,258.

Four of OSEA's nine districts recorded net gains, four suffered net losses and one remained even.

The districts that gained members were led by District One with 31. Next came District Two with 18, District Six with 11 and District Four with 4.

District Nine led in the net loss column with 32. It was followed by District Five with 12, District Seven with 2 and District Eight with 1. District Three remained even.

Rose City Chapter 5 in Portland led all of the Association's 80 local chapters with a net increase of 18. It was followed by another District One chapter, N.W. Oregon Forestry Chapter 76 in Forest Grove, which recorded a net gain of seven new members.

Advance System Will Provide Funds to Employes Who Travel

Employes who travel for the State of Oregon in the future will travel on the state's money rather than their own as they have had to do in the past.

A new policy governing travel advances was issued by the Executive Department July 1 based on a law adopted by the 1971 Legislature.

Here's how the new policy works, according to Neal R. Fisher, head of the accounting division:

An employe must submit a travel advance request and have it approved by his supervisor and the agency fiscal officer and administrator.

The money will be advanced by the agency if it has a revolving fund which may be used for travel and subsistence purposes. Fisher estimates about half the agencies have such funds.

If the agency has no revolving fund, the request will be forwarded to the accounting division. Fisher said a check probably will be issued within 24 hours after his office gets the request.

"However, there's one big kicker: we won't process a travel advance request for less than $50," he noted.

Fisher says employes are required to submit itemized travel expense vouchers justifying their expenses before the 10th of the month following the month in which they travel. That must be done regardless of whether the advance exceeded expenses, or was less than expenses, or was equal to expenses.

If the advance exceeded expenses, the employe must return the excess; if less than expenses, the employe will be reimbursed the additional amount.

There is only $10,000 in the accounting division's revolving fund, according to Fisher. Once that money is advanced, he says, no more will be available until previous advances are paid back by the agencies.

For that reason, Fisher has urged agencies to pay back travel advances as quickly as possible so the fund will not be depleted. He hopes to establish a 30 day repayment period.

The new law also increases the reimbursement rate for private car mileage from eight to nine-cents a mile. However, meal and lodging expenses remain the same.

For in-state expenses, employes will be paid a daily per diem of $15. That breaks down into $8.75 for lodging and $1.25 for breakfast, $1.50 for lunch and $3.50 for dinner.

Out-of-state lodging is actual expense, or the minimum available for accommodation and $1.75 for breakfast, $2.25 for lunch and $4.25 for dinner.

The new law is based on recommendations made by an Executive Department Task Force composed of Thomas C. Enright, OSEA's executive secretary; Thomas E. Lawry, Department of Agriculture; Evelyn Myers, University of Oregon Medical School; and Edward R. Cooper and Fisher, both from the Executive Department.

Lengthy Effort To Get Employe's Job Back Finally Over

A 20-month attempt by OSEA to get an employe reinstated to his job because it felt he had been fired illegally ended last month when Oregon's Court of Appeals reversed a lower court decision and upheld the dismissal.

Alan Beistel, a former equipment operator at the University of Oregon physical plant, was fired in 1969 for alleged "misconduct and insubordination." OSEA staff attorney John S. Irvin appealed the action to the Public Employe Relations Board.

Irvin argued that the action was illegal because the letter of dismissal was instituted and signed by the physical plant superintendent. Irvin claimed only the appointing authority—in this case University of Oregon President Robert D. Clark—has the power to dismiss an employe under Oregon law.

Following the PERB's decision to uphold the dismissal, Irvin appealed the case to Marion County Circuit Court.

Almost one year later Judge Douglas Hay issued a decision striking down the dismissal and ordering the University of Oregon to reinstate Beistel and pay him more than $7,200 in back pay.

Attorney General Lee Johnson appealed the lower court decision to the Court of Appeals. Last month it ruled that Beistel had been dismissed legally and was not entitled to his job or any back pay.

While the case was still in court, the matter was made moot by the 1971 Legislature when it adopted House Bill 1902.

The law now gives the agency head authority to name up to three staff employes to act in his hame and perform any act or duty of the appointing authority under the provisions of the merit system law.

Proposed Personnel Division Rules Refused as 'Arbitrary, Improper'

A proposed rule which would have denied a salary increase to an employe at the time of a non-competitive promotion through reclassification has been disapproved by the Public Employe Relations Board.

Another proposed rule which would have granted an immediate pay raise to an employe who was promoted was also turned down by the PERB.

Both rules were proposed by the Personnel Division.

In earlier hearings at the Personnel Division and later before the PERB, OSEA led arguments against the proposed rules and drew the support of several agency personnel officers and administrators.

The PERB order agreed with OSEA's position that it is unfair to deny a salary increase to an employe who is promoted non-competitively through reclassification, as proposed by rule 32-330, while providing an immediate increase to an employe who receives a promotion, as proposed by rule 32-325.

"It is concluded that rule 32-330 is arbitrary and improper because it treats the salary of an employe given a non-competitive promotion differently than the salary of an employe given a promotion under rule 32-325," the board said.

It was the first time since the PERB was created two years ago that it has disapproved a new Personnel Division rule. The board's action was so unexpected that some agency publications, before the board hearing, announced the proposed rules as being in effect.