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Interest Earnings on PERS Fund Substantially Improved in 1971

Money contributed to the Public Employees' Retirement System by public employees in Oregon earned substantially more interest last year than it did in 1970.

James L. McGoffin, director of the PERS, said the fixed portion of the fund earned 6.27 per cent. That's slightly more than one per cent over the 5.09 per cent earned by the fixed portion of the fund in 1970.

He said the variable account earned an interest rate of 9.47 per cent, a full two per cent more than the 7.47 it earned during the 1970 calendar year.

The variable portion of the fund is invested in common stocks and short term notes. The fixed portion is invested in long term bonds and mortgages.

McGoffin gave much of the credit for the increased interest earnings to Oregon's Investment Council and its money managers.

"Simple hard work, strict attention to technique and a great deal of good fortune has resulted in what can be considered appreciable gains," he said.

Noncompliance with PERB Ruling Holds Up Numerous Pay Raises

Pay raises for a large number of state employees who have been promoted or reclassified are being held up because the Personnel Division has refused to comply with a recent ruling by the Public Employee Relations Board.

Last September the division adopted two new rules which increased from 6 to 12 months the time

an employee who was promoted or reclassified had to wait before he was eligible for a merit pay raise.

The problem came about when the division attempted to apply the new rules retroactively from September 8 to March 8. That meant a large number of employees who had been promoted or reclassified during the six month period had to wait 12 months rather than 6 months before they were eligible for a pay raise.

OSEA Says Welfare Violated Contract

OSEA has charged the Public Welfare Division with failure to comply with a collective bargaining contract in a complaint filed with the Public Employee Relations Board.

John S. Irvin, OSEA staff attorney who filed the complaint, said the contract gives employees the right to ask for and get a copy of their position description.

It further states that position descriptions for assistance and service workers shall contain a "statement of the intended maximum caseload for which the employee shall be responsible."

OSEA's complaint charges that 32 assistance workers in Multnomah and Clackamas counties requested a copy of their position descriptions and statements of the intended maximum caseload for each position.

The agency "failed and refused" to furnish the documents, Irvin said. He asked the PERB to investigate the complaint and hold a hearing on the matter.

OSEA staff attorney John S. Irvin filed a petition for review of the action with the PERB on behalf of four employees.

The board ruled the division's attempt to apply the new rules retroactively was contrary to the legal principle that laws and rules shall apply prospectively unless a clear intent to apply retrospectively appeared at the time of hearing and adoption.

It also held that retrospective application would be an unconstitutional ex-post facto action impairing vested rights under collective bargaining contracts between OSEA and state agencies.

William G. Hughes, administrator of the division, told Irvin that Walter Barrie, the state's attorney who is appealing the PERB ruling, "advises us that we are not bound by the PERB order until such time as you obtain a mandatory injunction or we are unsuccessful in our final appeal."

"We also feel that it would be poor personnel management to process any of the contested salary increases only to have to rescind them if the PERB order is reversed on appeal," Hughes said.

The State of Things

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