OSEA Will Oppose State's New Uniform Rental Rules

OSEA will oppose new administrative rules developed by the Department of General Services to establish uniform rental rates for all housing owned by the State of Oregon and used by its employes.

A hearing on the rules has been scheduled by the agency early next month in Salem.

The bill requiring General Services to develop and implement uniform rental rates passed the 1971 legislature over the objections and opposition of OSEA.

The first action taken as a result of that legislation occurred last month when Leander Quiring, director of General Services, sent all agencies a copy of the proposed rules. There are three basic rules:

(1) "Any and all occupants of state-owned housing shall pay at least 50 per cent of the appraised rental value. Utilities and other services provided by the state shall be added to any rental."

(2) "If the rent previously charged by an agency to an employe was less than a fair rental value and the adjusted rates are higher, indirectly affecting the employe's salary, it is a personnel matter subject to review by the Public Employe Relations Board."

(3) "A fair rental value will be established for each state-owned residence by a qualified fee appraiser. The Department of General Services, as provided by ORS 182.432, will then establish a uniform schedule of reductions from the rental value. In establishing a reduction schedule the department shall consider factors such as agency need, invasion of privacy and isolation."

The rules go on to say that in no case will the rental reduction exceed 50 per cent of the "fair rental value," that all utilities provided by an agency shall be paid for by the employe, and that a charge of $10 a month on a 12-month basis shall be made for all houses when lawn care is provided.

After the proposed rules were distributed, OSEA immediately contacted Quiring and pointed out the fact that the law requires review of the rules by the Public Employe Relations Board before they can be adopted and put into effect. Quiring then filed the rules with the PERB, and the board scheduled a public hearing on them for January 26.

Individual employes, OSEA and several state agencies objected to the proposed rules, primarily because of the increase they would cause in state rental rates, and began to organize opposition to them. General Services then informed the PERB that it wanted the rules back so it could hold its own public hearing.

That hearing has been tentatively scheduled for February 6 at the General Services building in Salem. However, the rules still must be heard by the PERB before they can be put into effect. OSEA representatives will testify at both hearings in opposition to the rules.

"It is the Association's position that the rules as proposed are arbitrary, and may be contrary to law," Assistant Executive Secretary Everett B. Stiles said.

"We also believe the rules should consider the lack of standby pay in establishing a rental reduction schedule. If employes are required to pay higher rents to the state, then the state certainly should pay them standby pay," he said.

"As far as we're concerned," Stiles declared, "low rental rates for state-owned housing is simply a trade off for the extra work put in by the career employes who, in most instances, have no choice but to live in state houses if they want to keep their jobs."

Work Load Reassigned Among OSEA's Field Staff

Opening of the 1973 Legislature and increased collective bargaining contract negotiations have caused a reassignment of the state agencies represented by OSEA's seven-member field force.

Executive Secretary Thomas C. Enright will devote full time to lobbying activities. Assistant Executive Secretary Everett B. Stiles will divide his time between lobbying and overseeing the Association's representation and collective bargaining operations.

Until the reassignments took place, contract negotiations were conducted primarily by Stiles and Executive Assistant C. D. Johansen. The major share of the negotiations now will be handled by Johansen, who will be assisted mainly by Field Representative Paul R. Ward.

Another reason for the reassignments is OSEA's attempt to provide increased representation for employes in the Eugene-Corvallis and Eastern Oregon areas. Both classified and academic employes at the University of Oregon and Oregon State University now will be represented by the same staff member—Gilbert C. Polanski—rather than two field representatives as in the past.

In addition, OSEA will increase its representation of employes in the Eastern Oregon area by having Field Representative Donald F. Larkin cover that geographical route twice a month or every three weeks, rather than once a month as in the past.

None of the Association's six geographical routes have been reassigned.

OSEA's seven-member field staff now represent the following state agencies:

JOHN M. SCHOONOVER: Department of Agriculture, State Fair, Department of Forestry, Department of General Services, Oregon College of Education, Oregon Technical Institute, Southern Oregon College, Public Utilities Commission, Department of Revenue, Treasury Department, Department of Veterans' Affairs, and Water Resources Board.

GILBERT C. POLANSKI: Board of Education, Division of Continuing Education (Eugene, Corvallis), Oregon State University, University of Oregon, all academic employes, Vocational Rehabilitation Division, and Bureau of Labor (Salem).

HARRY C. WARD: Grain Division, Blind Commission, Board of Cosmetic Therapy, Fish Commission, Health Division, Department of Environmental Quality, Division of Continuing Education (Portland), Portland State University, University of Oregon Dental and Medical Schools, Bureau of Labor (Portland), Liquor Control Commission, Board of Pharmacy, and Public Employes' Retirement System.

PAUL R. WARD: Department of Human Resources, and Public Welfare Division.

WILLIAM D. KALIBAK: Special Schools Division (Schools for the Blind and Deaf), Tongue Point Job Corps Center (academic and classified), Hillcrest School for Girls, MacLaren School for Boys, Corrections Division, Mental Health Division, Penitentiary, Correctional Institution, Dammasch State Hospital, Fairview Hospital and Training Center, and Oregon State Hospital.

RICHARD A. LEITH: Department of Commerce, Fire Marshall, Employment Division, Department of Justice, State Library, State Police, Highway Division, and Executive Department.

DONALD F. LARKIN: State Accident Insurance Fund, Eastern Oregon College, Children's Services Division, Columbia Park Hospital and Training Center, Motor Vehicles Division, Highway Division (backup), Eastern Oregon Hospital and Training Center, and Workmen's Compensation Board.

OSEA Charges Welfare Division With Refusal to Bargain

OSEA has charged the Public Welfare Division with refusal to bargain in good faith.

The charge was made in a complaint it has filed with the Public Employe Relations Board.

The complaint was filed after negotiations between OSEA and PWD broke down mid-way through a proposed contract because the agency refused to continue bargaining talks until the Association agreed to its proposed list of excluded positions.

Under PERB rules governing collective bargaining in state government, certain positions may be excluded from each bargaining unit. Such positions are those filled by "management, supervisory and confidential employes."

The Association says in its complaint that at the beginning of negotiations both parties agreed to go through each article and section of the proposed contract. If agreement could not be reached on an article or section, it would be deferred until discussion and attempted agreement had taken place on each of the remaining articles and sections.

Half-way through negotiations on the proposed contract, OSEA has charged, the Public Welfare Division refused to proceed with negotiations on the second part of the document until agreement was reached on its list of excluded positions. Because of that action, the Association says the agency is not observing its obligation to bargain in good faith.

"OSEA does not agree with the agency's proposed list of 308 positions to be excluded," Assistant Executive Secretary Everett B. Stiles said. "The list was not provided to us until well after negotiations had begun, and then the agency refused our request to provide additional data about the positions it wants to exclude."

"In addition," he said, "the current contract between OSEA and Welfare provides that disputes over changes in the excluded list will be submitted to the PERB. We feel the Public Welfare Division should avail itself of existing remedies and continue to negotiate the contract."

Stiles noted, however, that disagreement over PWD's proposed excluded list is not the issue in OSEA's complaint. "Our charge stems solely from the fact that the Public Welfare Division has refused to proceed with negotiations on OSEA's contract," he said.

OSEA's Unfair List

The following official has committed unfair labor practices in state employe collective bargaining:

Attorney General Lee Johnson

OSEA Appeal Asked By Prison Employe

An employe at the Oregon State Penitentiary—an agency which recently elected an AFL-CIO affiliated union as its bargaining representative—has asked the Association to represent him in an appeal from a 10 day suspension.

The employe, Daniel Keeler, is a correctional officer. He was working graveyard shift in the Segregation and Isolation Unit when he was charged with "inefficiency" and suspended 10 days without pay. He asked OSEA to appeal the action.

John S. Irvin, OSEA staff attorney, filed an appeal with the Public Employe Relations Board which asks the board to set aside the suspension and order Keeler's back pay restored.

Public Employe Council 75 of the American Federation of State, County and Municipal Employes (AFL-CIO) recently defeated OSEA in an election to choose a collective bargaining representative at the penitentiary. Council 75 received 155 votes, OSEA got 101 and 9 were cast for Teamsters Local 324.

Despite the outcome of the election, OSEA maintains a chapter at the institution. Some 114 employes of the 354-member bargaining unit, including Keeler, continue to maintain membership in the Association.