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Welfare Division's Secret Forms Are Contrary to Law, PERB Rules

The Public Welfare Division's refusal to permit one of its employees to examine a secret personnel form relating to his promotion was "arbitrary and contrary to law and rule."

That ruling was made by hearing officers for the Public Employee Relations Board on a petition for review filed by OSEA on behalf of Lawrence E. Wilson, a caseworker employed in PWD's Albany office.

OSEA had charged the Public Welfare Division with using the secret form to "obstruct or prevent" promotion of its employees. The form, entitled "employee promotion recommendation," was developed at the direction of Leo T. Hegstrom, a PWD assistant administrator.

The Association charged the forms were used by Hegstrom and his subordinates to rate the promotional potential of employees. However, the forms were kept secret from the employees who were rated. Neither employees nor their legal representative were permitted to examine or inspect them.

In its petition, OSEA charged that Donald Lady, a PWD district manager in Albany, wrote a "strongly emphatic recommendation" on one of the secret forms against the promotion of Wilson because of his alleged activities in connection with the Association. The existence of the form was discovered by Field Representative Richard A. Leith. When he asked to examine it, Hegstrom refused.

"There is no law or rule that declares an appraisal of this type to be confidential," the PERB agents said in their ruling. "An employee or his representative should have access to any personnel records reflecting on his performance potential or lack of it."

An argument put forth by the agency that written comments about an employee's ability should be held in the same confidence as letters of recommendation "is without merit," the hearing officers said. "The merit system source has a duty to communicate completely and frankly in response to a merit system inquiry."

The board agents said the Public Welfare Division should be complimented for its efforts to implement a systematic method of identifying

OSEA Denies Group Seeking Legal Aid

A request for OSEA to seek an injunction against the State Employees' Benefit Board to keep it from putting a new premium rate schedule into effect for the state's health insurance program has been turned down by the Board of Directors.

The request was made in the form of a petition signed by 14 faculty members at Oregon State University in Corvallis.

"We, the undersigned, request OSEA to represent us in legal action designed to enjoin the proposed discriminatory health insurance rates from being placed into effect," the petition said.

Apparent reason for the petition was the SEBB's decision to establish the renewal premium rates by combining the claims experience of three plans, rather than rating each plan according to its claims experience.

employees with management potential.

"We are puzzled, however, as to why management should wish to maintain confidential status for a recommendation. It would appear to be an ideal vehicle to bring developmental needs to the attention of the employees in an atmosphere where cooperation would be very possible."

The proposed order issued by the hearing officers said Wilson or his official representative is entitled to have access at all reasonable times to any employee promotion recommendation on file pertaining to him.

OSEA Complaint Filed Against Health Division

OSEA has filed a complaint with the Public Employee Relations Board charging the Health Division with failure to bargain in good faith.

The charge was filed after Cornelius C. Bateson, administrator of the Health Division, refused to sign a collective bargaining contract recently negotiated by OSEA.

The reason for Bateson's refusal to sign the document is because of a disagreement between the two parties over a list of positions the agency wants to exclude from the bargaining unit.

OSEA negotiators have objected to 27 of the 72 positions the Health Division wants to exclude. An impasse was reached over the list, and the agency submitted the matter to PERB. A spokesman for the division told OSEA that Bateson would not sign the contract until the board has issued a ruling on the excluded list.

Negotiators for the Association, however, claim that signing the contract and thereby putting it into effect has nothing to do with establishment of an excluded list for the agency.

AGE Fund Appoints New Representative

Franklin Research, Inc., has announced the appointment of David Dickey as Oregon representative for the AGE Fund. It is a mutual fund sponsored by the

Assembly of Governmental Employees. Shares are offered for sale only to OSEA members and their families. Prior to joining the AGE Fund, Dickey was employed in the Portland office of a leading broker-dealer in investments and securities. He has worked in securities and insurance since 1968. Dickey is available to discuss the AGE Fund at chapter meetings or with individual members. He may be contacted through OSEA's Salem or Portland offices.



DAVID DICKEY

Donald G. Olds, the Association's business and services manager, also is licensed to sell shares in the AGE Fund.

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