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PERB Refuses to Hear 14 Appeals Filed for Denial of Merit Raises

The Public Employee Relations Board has refused to hear appeals from denial of merit pay raises filed by 14 state employees represented by OSEA.

John S. Irvin, the Association's staff attorney, filed the appeals at various times during 1972. All of the employees had been denied merit pay raises under the 85-75 per cent limitation imposed by the 1971 legislature.

Attorneys for the state filed technical objections which kept the board from hearing the appeals. The board's ruling that it would not hear the appeals was the latest in a series of rulings on the technical objections filed by the state.

The state's objections were based primarily upon a claim that the PERB does not have jurisdiction to hear merit pay cases and a claim that the parties who would be affected by the appeals had not been named in the petitions filed by Irvin.

In its ruling, the board rejected both of those claims. However, it refused to hear the appeals because of what it called "inexcusable delay" by Irvin in filing necessary amendments to the petitions.

The board indicated that failure to file the amendments in the period of time from July, 1972 to February, 1973 was prejudicial to employees who received merit pay raises during that time. The board apparently felt any action to set aside the merit pay denials of the petitioning employees would endanger the increases granted to other employees during the period of delay.

"The board's misstatement of the facts may not have been intentional," Irvin said, "but it is certainly appalling. The board's own files and records show there was no delay by the Association whatsoever."

"Amendments to all 14 petitions were filed on time during August, 1972. The board itself held up all action on the petitions during the last six months of the year to await a decision by the Court

of Appeals on another merit pay raise denial," he declared.

No decision was ever rendered by the Court of Appeals on that case, however, because the state withdrew its appeal near the end of 1972.

In January, the state filed additional objections to the petitions that Irvin had amended in August. Those objections culminated in final amended petitions filed by Irvin in February. The board's ruling that it would not hear the 14 appeals was issued after the state objected to the final amended petitions.

"I can understand the board's concern about holding hearings and issuing orders that might result in upsetting merit pay increases already granted to other employees," Irvin said. "But I cannot understand why the board has already forgotten that it, not the Association, is responsible for the delay."

Irvin said he will either ask the board for a rehearing or to take some appropriate alternative action.

Fact-Finders Favor Employers Position

A fact-finding panel appointed by the Public Employee Relations Board has ruled substantially in favor of the employer's position on four of five disputed contract provisions submitted by OSEA and the University of Oregon.

Contract provisions submitted to fact-finding included recognition of OSEA as the exclusive representative of employees, transfers, promotions, mileage reimbursement and 30 or 60 minute lunch period option for employees.

Fact-finders adopted the Association's position that employees be paid 10-cents a mile for travel to and from their homes when called to work outside of their regular work schedule.

The panel, however, found that OSEA's position on exclusive representation was too restrictive. It also held that the University of Oregon should have more discretion regarding transfers, promotions and duration of lunch periods than the Association's proposed contract language would allow.

Group Rep Handbook Now Under Revision

OSEA's handbook for group representatives presently is being revised by the Association's Membership Committee, according to Beth Mason, director.

She has asked group representatives, chapter officers and interested members who have comments or ideas about the revision to contact any assistant district director during the next month.

In addition to revising the handbook, the Membership Committee is in the process of developing a new policy for awarding OSEA's 100 per cent membership certificates. They now are awarded to any work area, section, department or division in which all employees are members of the Association.

Value of PERS Accounts Listed

Editor's Note: The following table is published by The OSEA News to help keep Association members informed of the value of their accounts in the Public Employee's Retirement System.

Both the variable annuity portion of the account (which is invested in common stock and short term notes) and the fixed portion of the account (which is invested in long term bonds and mortgages) are listed.

The table shows the value of each \$100 invested in either the variable annuity or fixed account on the date listed.

	VARIABLE ACCOUNT	FIXED ACCOUNT
February 1	\$95.99	\$100.62
March 1	\$91.77	\$101.24
April 1	\$90.47	\$101.87
May 1	\$85.68	\$102.49

Death Takes Doris Mayhew

Doris Gail Mayhew, a long-time OSEA member who was active in two of its chapters, died of a heart condition in a Portland hospital recently. She was 52.

She held offices in The Caves Chapter 83, Grants Pass, and Success Chapter 30, Portland.

Mrs. Mayhew lived most of her life in Grants Pass where she was born in 1921. She worked for the Public Welfare Division there before moving to Portland in 1968. She was employed by the Youth Opportunity Center of the Employment Division at the time of her death.

She was the widow of the late Richard C. Mayhew, a former director of District One and a former member of OSEA's Board of Directors. He died in a motel swimming pool in 1969 following a board meeting.



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