Mileage

The contract OSEA negotiated with the Executive Department called for the state's mileage allowance to be raised to 11-cents. The legislature, however, reduced the amount to 10-cents.

The mileage allowance for private automobiles used on state business was increased from 9-cents to 10-cents. Allowance for private autos used at the convenience of employes was raised from 7-cents to 7½-cents.

Per Diem

Oregon's per diem rate was increased $2 per day—from $15 to $17. In computing per diem for periods of less than 24 hours, the following allowances will be used:

In-state: lodging, $9.00 plus any hotel tax to be claimed under miscellaneous expense; breakfast, $1.75; lunch, $1.75; and dinner, $4.50.

Out-of-state: lodging, minimum available for accommodation; breakfast, $2.00; lunch, $2.50; and dinner, $5.00.

In addition, the state changed its administrative rules as a result of the OSEA-Executive Department contract to allow employes to be paid at the "short-term" per diem rate ($17 a day) when they are absent from their official work station less than 30 days.

Employes will be paid at the "long-term" rate ($9 a day) only after they have been in one location 30 days or more. Highway Division traveling crews comprise the largest group of employes affected by the new rule.

Increase in the per diem rate came about as a result of the OSEA-Executive Department contract. No legislative action was required.

Vacation Leave

State employes will get an additional day of vacation leave each year as the result of a contract provision negotiated by OSEA with the Executive Department.

Vacation leave was increased one day a year at each step of the state's vacation schedule on July 1.

In addition, two other changes in the state's vacation benefit were made by legislative approval of the contract provision: (1) the maximum vacation leave accrual was increased from 200 to 250 hours, and (2) vacation leave now accrues after six months of employment instead of one year.

Retirement

Many important improvements were made in Oregon's Public Employes' Retirement System as a reslut of passage of a bill drafted and supported by OSEA and other members of the Public Employes' Retirement Conference.

The new law makes the following changes in the retirement system:

- Increases the percentage factor in the formula used to compute retirement benefits from .84 to 1.00. The factor for policemen and firemen was raised from 1.15 to 1.35.

- Permits employes to retire at age 60 after 30 years of service, or at age 62 after 25 years of service, with no reduction in benefits. Policemen and firemen will be allowed to retire at age 55 after 25 years of service, or at age 57 after 20 years of service, with no reduction in benefits.

- Gives employes the option of investing up to 75 per cent of their retirement contributions in the variable annuity program.

- Increases the annual cost of living adjustment for retirees from 1.5 to 2 per cent.

- Grants a 25 per cent increase in benefits to employes who retired prior to 1968. Employes who retired between January 1, 1968 and January 1, 1972 will receive a 20 per cent boost in benefits, and those who retired between January 1, 1972 and January 1, 1973 will get a 12 per cent increase.

Collective Bargaining

Oregon's collective bargaining law for public employes was greatly improved and strengthened by the 1973 legislature.

The new law is set forth in HB 2263. It is the result of a solid year of work by Gov. Tom McCall's Task Force on Collective Bargaining in the Public Service and months of hearings by legislative committees.

Numerous attempts were made to weaken or kill the bill before it got through the legislature just days before final adjournment. Among its provisions, the new law:

- Removes the prohibition against strikes by public employes, except for policemen, firemen and guards at the state's prisons and mental hospitals, or in instances where the public health, safety, or welfare is involved. Binding arbitration is required in those instances where strikes are prohibited.

- Permits negotiation of "fair-share agreements" in which non-members of certified representative organizations may be required to pay a service fee. Such payments would be deducted from paychecks.

- Specifies unfair labor practices and gives the Public Employe Relations Board authority to enter orders and secure court enforcement of its orders.

- Covers all units of state and local government in Oregon, including state agencies, higher education, cities, counties, community colleges, school districts, special districts and public and quasi-public corporations.

- Excludes elected officials, appointed members of boards and commissions, and confidential and supervisory employes from collective bargaining. Definition of supervisory employe was one of the hardest-fought sections of the bill. After lengthy debate, the definition used by the National Labor Relations Board was put into the bill: "Supervisory employe means any individual having authority in the interest of the employer to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward or discipline other employes, or having responsibility to direct them, or to adjust their grievances, or effectively to recommend such action, if in connection therewith, the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment. However, the exercise of any function of authority enumerated in this subsection shall not necessarily require the conclusion that the individual so exercising that function is a supervisor within the meaning of this 1973 act."

- Enlarges the Public Employe Relations Board from three to five members. Each member is appointed by the governor. Terms run four years.

Classification Study

The legislature passed a resolution introduced at OSEA's request which requires the Personnel Division to review the more than 1,100 job classifications in state government and change those that perpetuate discrimination in state employment.

HJR 31 directs the Personnel Division to "review all job classifications, qualifications requirements and tests in the classified and nonacademic unclassified services and revise them or remove from them any elements which perpetuate arbitrary barriers to fair and equal employment, or which tend to discriminate unfairly between persons on the basis or race, national origin, cultural background, or sex."

The legislation grew out of such discriminatory employment practices as paying male custodial workers more than $100 a month above female domestic workers who perform the same tasks.

Safety in Employment

Public employes in Oregon, for the first time, come under provisions of the federal Occupational Safety and Health Act of 1970.

The standards, inspection and penalty provisions of the act apply to all governmental jurisdictions in Oregon. It requires public employers to provide employes with a safe and healthful place of employment.

Oregon's new law will be administered by the Workmen's Compensation Board.

Employes have the right and responsibility under the law to notify employers of a hazardous working condition. They also have the right to complain directly to the WCB, and may ask for their names to be kept confidential. The law says no employe may be discharged or discriminated against for exercising any right under the act.

Employes also have the duty under the law to abide by all safety standards adopted for their protection, including use of safeguards and protective equipment furnished by employers. They are required to obey lawful orders of the WCB, and may be fined for violating provisions of a "red tag" notice.

Employers who violate OSHA standards may be fined up to $1,000 for a single violation. Willful or repeated violations may result in penalties up to $10,000. Failure by an employer to correct a hazardous working condition may subject him to penalties of up to $1,000 a day.

Unemployment Compensation

State employes will benefit from passage of several bills which increase unemployment compensation benefits.

One bill raises the maximum weekly benefits from $62 to $76 a week, and boosts the minimum payment from $20 to $23 a week.

Another measure lowers the number of weeks of work needed to qualify for unemployment benefits from 20 to 18.

Workmen's Compensation

Many changes were made in Oregon's workmen's compensation law when the legislature passed bills aimed at raising benefits and protecting workers.

A new formula will pay the widow of an employe—or the widower if his wife has been covered by workmen's compensation—a basic monthly benefit of $325. That compares to the present monthly benefit of $110.

Additional payments for children remain at $100 each per month for the first two children and $50 a month for each additional child. A new provision, however, permits continued payment after age 18 to those who are fulltime students or apprentices.

Increased benefits were granted to employes classified as permanently or temporarily disabled. The maximum benefit for temporarily disabled employes is $120 or two-thirds of actual wages, whichever is less. Maximum benefit for permanently disabled employes is $100 or two-thirds of actual wages, whichever is less. Old maximums were $85 and $50, respectively.

Another law adopted by the legislature requires employes to pay an additional three-cents a day (to a total of five-cents) into a reserve fund for retroactive payments and second injuries. The retroactive fund is maintained so workers injured in the past share in any benefits adopted by the legislature.

Political Activity

A resolution to amend Oregon's constitution to permit state employes to serve in the legislature was passed by the 1973 legislative session.

It will be voted upon by Oregonians in the November, 1974 general election.

The resolution—HJR 30—was drafted by and introduced at the request of OSEA. It was carried in the House by Rep. Mary Roberts (D-Portland) and on final passage in the Senate by Sen. Keith Burbidge (D-Salem).

Two other bills relating to political activity by state employes were adopted by lawmakers.

One—HB 2223—requires public employers to post notice of employe political rights in work areas.

The other—HB 2221—conforms Oregon's tax deduction or credit to the federal law in regard to political contributions. For example, it will allow a contribution to Citizen Action by State Employes (CASE)—the Association's political action arm—to be claimed on both federal and state tax returns. Previously, such a contribution could be claimed only on the federal return.