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Ballot Title for Bargaining Bill Referral Gets Challenged

State Treasurer James A. Redden and six legislators have challenged a ballot title drafted for a referendum drive against the public employee collective bargaining bill passed by the 1973 legislature.

The ballot title challenge was filed with the Oregon Supreme Court. It was prepared by OSEA Executive Secretary Thomas C. Enright, who is serving as legal counsel for the group.

They contend the ballot title prepared by Attorney General Lee Johnson is "insufficient and unfair" for the following reasons:

(1) "It states incorrectly that House Bill 2263 gives most public employees the right to strike, when in fact more employees are permitted to strike under the present law than would be allowed to do so under the new law."

(2) "It places undue emphasis on strikes by public employees and thereby would tend to prejudice voters against House Bill 2263."

(3) "It misleads the voter into believing that the main content of House Bill 2263 is the subject of public employees strikes, when in fact the strike provisions are a minor part of a comprehensive bill relating to public employee and employer rights and duties and procedures to effectuate collective bargaining with governmental bodies."

(4) "It contains matters which are superfluous and does not include provisions of House Bill 2263 regarding which the voters should be informed."

(5) "Its caption states an effect on only one existing law, when in fact House Bill 2263 amends one existing law and repeals two others."

The ballot title provided by Johnson, if not disapproved or changed by the court, will be printed on petitions and used on the general election ballot. It reads as follows:

"Revises Public Employees' Collective Bargaining Law: Expands coverage of present public employee

collective bargaining law and gives most public employees the right to strike. Law covers employees of state, cities, counties, community colleges, school districts, special districts and most public and quasi-public corporations other than elected officials, persons appointed to boards or commissions, confidential and supervisory employees. Prohibits strikes by policemen, firemen, certain guards and in other specified instances. Provides for binding arbitration where strikes are prohibited. Makes other provisions."

The legal brief prepared by Enright contains this suggested ballot title:

"Revision of Public Employee Representation Laws: Expands coverage of present public employee collective bargaining law to include all public employees except elected officials, members of boards or commissions, supervisory or confidential employees. Provides representation unit determination and election procedures. Specifies unfair labor practices. Provides remedies. Prohibits strikes by policemen, firemen, guards and in other specified instances. Authorizes injunctions against strikes court finds would endanger health, safety or welfare of public. Provides for binding arbitration where strike prohibited. Makes other provisions."

Redden was chairman of a task force appointed by Gov. Tom McCall that drafted the bill after a year of work. Joining him in the challenge are Reps. Glen Whallon (D-Milwaukie), Larry Perry (D-Eugene), William Grannell (D-North Bend) and Robert Elliott (R-Portland), and Sens. Richard Groener (D-Milwaukie) and Keith Burns (D-Portland).

Three Republican Senators who opposed the bill in the legislature are seeking to refer the measure to a vote of the people. Sen. Anthony Meeker (R-Amity) filed the preliminary petition to place the bill on the November, 1974 general election ballot.

Co-sponsors with Meeker are Sen. Victor Atiyeh (R-Beaverton), GOP leader in the Senate and Sen. Robert F. Smith (R-Burns). They need to gather the signatures of 26,656 registered voters by October 5 in order to refer the measure to a vote.

Referendum sponsors may legally circulate petitions now, but if the Supreme Court changes the attorney general's ballot title or declares it invalid, all petitions would have to be destroyed and the revised title put on new petitions.

Numerous attempts were made to kill or weaken the bill before it squeaked through the legislature just days before final adjournment. It greatly improves and strengthens Oregon's collective bargaining law for public employees.



A challenge to the attorney general's ballot title for a referendum drive against the public employee collective bargaining bill was filed with the Oregon Supreme Court by State Treasurer James A. Redden (left) and OSEA Staff Attorney John S. Irvin last week. Petitions and legal briefs were received by Mildred Oldenburg, deputy of the court.

Hallways Darkened as State Seeks to Conserve Energy

Employees in state buildings are walking through darkened hallways, working in offices with the air conditioning and up to half the lights turned off and washing their hands in cold water as a result of Gov. Tom McCall's executive order requiring state government to conserve energy.

McCall issued the order as he declared a "statewide energy emergency." He directed the Department of General Services and agency heads to "launch immediately an energy conservation program."

"The Pacific Northwest is in the grasp of an energy crisis," McCall said. "Assessments of the causes are under way. But whether the crisis is ascribed to over-consumption, unusual weather conditions or any other fact of life, a simple assessment of the problem will not produce relief from the emergency we face this winter, and perhaps next."

"I do not intend to spread alarm," he continued, "but I wish to have understood the seriousness of our situation. The Bonneville Power Administration has said that in the next few months we somehow must save the equivalent of the electrical output of three Bonneville Dams."

McCall said he directed state government to reduce its use of energy "to put our own house in order as a prelude to an appeal for voluntary cutbacks in commercial, industrial and residential uses."

The governor ordered the Department of General Services to take the following actions:

● Discontinue air conditioning in all state buildings, except where it is essential for health or technical reasons.

● Advise all agency heads to allow and encourage the wear of lightweight summer clothing.

● Discontinue exterior lighting of state buildings except where such lighting is required for security or safety.

● Reduce lighting in all offices where practical. That includes hallways, lobbies, reception rooms and work

areas where less lighting would not be disadvantageous.

● Determine the number of lights that may be turned off along state highways, particularly on Interstate Five.

● Revise work schedules of maintenance employees so that custodial duties are accomplished during daylight hours, where practical. "This order will be reproduced for all state agencies for posting and through this I ask the understanding and cooperation of all state employees," McCall said.

● Fully close all state buildings by 6:00 p.m., except for required situations.

● Turn off all motors that cool water fountains in state buildings. Eliminate lawn watering, operation of fountains or other uses in which electrical energy is required.

Kind Thoughts For a Computer

In compliance with Gov. Tom McCall's order for state government to conserve energy, the Department of General Services turned off the air conditioner in the Labor and Industries building on the Capitol Mall.

But it wasn't long before it was turned back on. Why? Because the two computers located in the building won't work if it gets too hot.

All of which prompted an employee to remark, "That's the first time I've ever had any kind thoughts about a computer."

● Increase the frequency of tune-ups of state-owned automobiles, to the extent possible. Insure maximum tire pressures are maintained.

● Post notices that as a condition of use of state-owned cars, drivers must limit their speed to 55 miles per hour.

● Prohibit one-person use of state automobiles, within reasonable limits. One-person use may be authorized in cases where the car is assigned to an individual for a specific purpose.

● Consider adding additional shuttle bus service in the Salem-Portland service now offered.

● Advise all state agencies that, in view of the energy emergency, a cutback in energy use of at least 10 per cent can and should be accomplished through simple means, such as a reduction in lighting, turning off motors not in use, less use of duplicating machines and curtailment of travel.

● Issue a request through all available means asking state employees and the public at large for other recommendations on energy conservation in state government.

● Survey all state employees and any other users of space in state-owned parking lots to determine their number of trips, passengers carried and knowledge of the availability of mass transit.

● Turn off all hot water heaters in state facilities except where the hot water provided is essential for health, job performance or food preparation.

"I recognize that some of these actions will require substantial planning and negotiation with public or private interests," McCall said. "I will accede to special considerations, but only as determined by the director of the Department of General Services, and, through the appeal process, by me."

McCall's order will remain in effect until further notice. He said additional directives "applicable to fall and winter" will be issued later.