

PERB Hearing Officers Overturn One Dismissal; Uphold Another

Hearing officers for the Public Employee Relations Board recommended the dismissal of a Highway Division employe be overturned and the dismissal of a Public Welfare Division employe be upheld in two appeals heard earlier this month.

Both employes were represented by OSEA staff attorney John S. Irvin.

The first appeal involved a right of way agent who had been dismissed for improperly certifying a mobile home as "decent, safe and sanitary" after it had been moved because of highway right of way needs.

The Highway Division contended the employe knew the mobile home wasn't decent, safe and

sanitary but misrepresented that it was in his inspection report.

The employe provided evidence showing the mobile home was decent, safe and sanitary by a reasonable definition of the term and that his inspection was made in accordance with usual methods of inspection.

The mobile home owner signed a statement at the time of inspection that she considered the move "satisfactory," then later claimed the move had not been satisfactory.

Hearing officer James Daniels found the disciplinary action was too severe. He recommended the dismissal be changed to a suspension and reduction in pay.

In the other case, board hearing officers Daniels and Alfred Blogg recommended the dismissal of a welfare investigator on grounds of inefficiency be upheld.

The agency charged the employe had forgotten an appointment with a fellow investigator, had been late for appointments with other investigators and had failed to call his office from the field on one occasion.

The Public Welfare Division also charged the employe with being in a tavern and parking his car in front of the tavern during working hours. Evidence showed he was eating lunch at the time and that the agency has no policy prohibiting employes from eating their lunch in a tavern.

Irvin has filed written objections to the hearing officers' recommendation because the decision upholding the dismissal rests in part on charges that were not a part of the dismissal notice.

Both cases will be reviewed by the board later this month.

Jones Appointed State Ombudsman

Chalmers L. Jones, a former three-term president of OSEA, has been appointed state government's new ombudsman by Gov. Tom McCall.

He presently is administrator of the special program division for the Department of Human Resources. Prior to that, he worked 16 years for the Employment Division. Among the positions he held in that agency were manager of the Youth Opportunity Center in Portland and supervisor of target programs in the Portland metropolitan area.

Jones was president of OSEA in 1963, 1964 and 1971. He is a member and past chairman of the Public Employees' Retirement Board, and a former member of the Portland Metropolitan Steering Committee and the Model Cities Citizens' Planning Board.

He replaces Bob Oliver as ombudsman. McCall appointed Oliver as his legal counsel to replace Edward Branchfield, who was named by Attorney General Lee Johnson as assistant attorney general for the Department of Higher Education.

McCall said the changes will become effective in mid-October.

McManamy Elected To Replace Oxford

Robert L. McManamy, a member of Astoria Chapter 8, has been elected to replace James J. Oxford as assistant director of District Eight.

Oxford transferred out of the district shortly before the district election was held. There was not enough time to remove his name from the ballot and he received the majority of the votes cast for assistant director.

McManamy was elected by the chapter presidents in District Eight to replace Oxford. He is a forest technician for the Department of Forestry.

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	\$95.99	\$100.62
March	\$91.77	\$101.24
April	\$90.47	\$101.87
May	\$85.68	\$102.49
June	\$83.01	\$103.11
July	\$82.45	\$103.73
August	\$88.00	\$104.35
September	\$86.35	\$104.97

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