

Jackson County employes interested in OSEA

MEDFORD -- Over 100 employes of Jackson County and some from Josephine County learned a lot about OSEA at a meeting here recently.

The Jackson County Employees Association invited representatives of OSEA to describe our services and organization because its membership is considering affiliation with OSEA.

Employee Representation Director Fred Tolleson, Associate General Counsel Charlene Sherwood, Employee Representative Gordon Webb, Chief Negotiator Angelo Stephenson, and Government Relations Representative Bill Wyatt accompanied Executive Secretary Morton Shapiro on the trip to meet the Jackson County association.

Shapiro began by answering questions in a letter sent to him by Frank Testerman, a JCEA member who also is the union's parttime staff member. The questions dealt with local autonomy, a strike fund, whether an employe representative might be stationed in southern Oregon, the amount of OSEA due and the Association structure.

Shapiro said the OSEA does not have a strike fund and he's opposed to creating one because the money could be put to better use. "We can have a better impact with a large organization," he said.

Shapiro said he couldn't say whether OSEA might open a branch office in southern Oregon. The Association would

have to look at the costs of an employe rep's salary, a secretary's salary, office furniture and equipment and an answering service.

OSEA dues are \$5 a month, he told them; JCEA dues are \$1 a month. Fred Tolleson explained that an Association group is studying a possible restructuring of OSEA dues based on ability to pay.

Tolleson talked about local autonomy and the Association structure, explaining first that he wrote the resolution opening OSEA membership to local government employes which passed the 1976 General Council. He said that the Jackson County association would be an OSEA chapter for at least one year. After that it could be petitioned to become its own district if it has at least 500 members, the constitutional requirement for forming a new district.

When Shapiro returned to the floor, he explained the duties of Eleanor Meyers, OSEA personnel and classification specialist. He said the secret to bargaining success is to know what management has available, what is its ability to pay. This is the research that Meyers and Wyatt have been doing since the governor's budget has been published.

Shapiro stressed OSEA's services in his talk. That is what OSEA can offer more of than a small independent or even some international unions. This, in part, was in response to the relative steepness of OSEA's dues.



Sherwood, Tolleson and Wyatt listen to Shapiro in Medford.

"What happens if you have a grievance?" he asked. "What happens if you are illegally discharged or disciplined? What about layoffs? You need the professional expertise of OSEA and the strength of a statewide association," he said. A persistent question dealt with local control. The Jackson County employes were concerned both with local control to determine their own contract proposals and with the need to have a professional negotiator at the table.

They would be able to

determine their own package depending upon local needs, Shapiro told them.

Angelo Stephenson outlined his procedure for entering negotiations. The spokesman from the staff would come down months ahead of going to the table to discuss the issues with a bargaining team made up of the membership, he said. With that information he would do additional research. The spokesman would be at the table at the first bargaining session, all the way to the last. The OSEA representatives

were not trying to compel the Jackson County employes to join. "We're not trying to sell anything," Shapiro said, "and you're not going to buy anything."

"We're melding our expertise and your strength to improve wages and benefits," he said. At another time, he compared it to a marriage, adding that he wasn't interested in divorce.

Jackson County has a bargaining unit of over 500 employes. They currently have a contract with fair share which runs until June 30, 1978.

Management fighting grievance arbitration

Getting the state to go to arbitration, a provision it agreed to include in the present central agreement, still is posing a time-consuming problem.

The state will say that a particular issue is not appropriate for arbitration but should go to the Employment Relations Board (ERB). ERB responds by saying that the

issue should go to arbitration. On appeal, the courts have agreed with OSEA.

Most recently ERB ordered the Executive Department to stop refusing to go to arbitration on a matter that resulted from the clerical restructuring in the current central agreement. An arbitrator was picked; both sides had equal say choosing the arbitrator. The ERB order

further said that the question of arbitrability of the contract dispute is an appropriate decision for the arbitrator to make. While the Executive Department voiced no protest at the time, it now refuses to take the question of arbitrability to arbitration.

This has forced OSEA General Counsel John Irvin to file an application with ERB to

enforce its previous order that both the question of arbitrability and the specific issue itself are for the arbitrator to decide, not ERB and not the Executive Department unilaterally.

The problem in connection with the clerical restructuring involves those employes hired as clerical employes between May 1 and June 13, 1975. The

specific question is whether those employes will be paid at the old rate, before the current contract was in effect, and then go through the restructuring so they will be paid at the higher rate under the current contract. Management has chosen to pay them as if they were hired after the clerical restructuring, which gives them lower pay, even though the contract didn't go into effect until June 13, 1975.

'Pulling rank' only cause for this action

KLAMATH FALLS -- Sometimes management can be so eager to "pull rank" it will issue an unjustified reprimand when in fact all the bases were covered and the employes involved scrupulously folled the chain of command.

One such case occurred here involving Ray Debortoli and Ray Baldwin who work for the State Forestry Department.

Cone picking is part of the department's reforestation program. It is a chore which can only be done when the season is right and then it must be done quickly before conditions change. Baldwin and Debortoli were assigned to this work.

At the time the duties were explained to them, they were told that anyone with a fear of heights would not have to climb trees. Debortoli said he had such a fear and he was assigned to work with Baldwin, who believed he had no problem climbing trees.

However, as their work progressed, Baldwin was required to go further and

further out on the limbs of the trees to get the cones. It became evident that he was endangering a falling if he continued to go so far out on the limbs.

The two then informed OSEA District Director Harry Mar-

shall, the project supervisor, that they had done all they could without endangering themselves.

Marshall was busy at the time, but said okay and told

them to report to the guard station. While driving there, Baldwin and Debortoli were called on the radio and told to report to the district headquarters here.

They reiterated their fear of

heights to unit forester Victor Van Hoy and others at the headquarters.

A few days later, instead of being assigned duties which did not require climbing trees, the two were slapped with letters of reprimand from Van Hoy.

OSEA Employee Representative Gordon Webb wrote a letter on their behalf to Forestry personnel director William Sager saying that the letters of reprimand were unjust and inequitable. At this time, Webb hadn't filed a formal grievance; he merely was bringing the matter to the attention of a person he thought could remedy the situation.

Management insisted that the grievance procedure be used and Webb filed.

Ultimately, the grievance was appealed to until it again reached Sager who ordered the letters of reprimand removed and that Baldwin and Debortoli's performance appraisals be revised to remove any reference of the refusal to do assigned work and the reprimands.

Grievance, unfair labor practice charge stop harassment of job rep

PORTLAND -- It took a grievance and an unfair labor practice charge to stop management harassment of an OSEA job representative at the Health Sciences Center, but that course of action was successful.

Job rep Gary Wood was on trial service as a custodial work supervisor 1 when he was demoted to a custodial worker for advising another OSEA member to file a grievance, reports OSEA Employee Representative Bud Bailey,

who is assigned to the Health Sciences Center.

Bailey filed a grievance and an unfair labor practice demanding that Wood be returned to his custodial work supervisor 1 position and that he receive back pay and benefits from the time of the demotion.

The letter Wood received telling him of his demotion said that the disciplinary action was because he had caused "management-labor unrest," Bailey said.

Wood has had no previous black marks on his record and had, indeed, scored 95 on his application for the custodial work supervisor 1 position, Bailey said.

The grievance reached the president's level on the grievance procedure. There, it was agreed to grant the remedy sought in the grievance if OSEA would drop the unfair labor practice. That was agreed to.