

Measure to limit self-checkout gets nod from Oregon Supreme Court

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SALEM — Are they an annoyance? A convenience? Do they destroy jobs?

A federation of Oregon workers wants voters to issue a verdict on the self-checkout kiosks becoming more prevalent at grocery stores.

A petition to limit each grocery store to two of the checkout kiosks can soon move forward to signature gathering. On Friday, the Oregon Supreme Court certified the attorney general’s description of the proposed measure.

Sandra McDonough, president and CEO of lobby group Oregon Business & Industry, challenged Attorney General Ellen Rosenblum’s description of the proposed measure, asking the Supreme Court to review it.

Backers need 112,020 signatures to get to voters’ ballots in November.

Filed in July, Initiative Petition 41 is backed by the Oregon AFL-CIO, a coalition of labor groups representing about 300,000 Oregon workers.

“We have been consis-



EO Media Group file photo

A federation of Oregon workers wants voters to issue a verdict on the self-checkout kiosks becoming more prevalent at grocery stores.

tently concerned about the impacts of technology and automation on the livelihoods of working people, especially when they have no voice in how technology is used in their workplaces,” Graham Trainor, president of the Oregon AFL-CIO, said in a statement. “You can see expansion of self-checkout machines in stores across the

country and in Oregon.”

He said jobs are lost as a result.

The AFL-CIO contends self-checkout kiosks make customers feel socially isolated, particularly elderly people, and that the kiosks let stores rely more on part-time workers and leaves workers “feeling devalued.” They also claim self-check-

out stands make it easier for minors to buy alcohol and for people to steal from stores.

Joe Gilliam, president of the Northwest Grocery Association, an industry group, scoffed at the labor group’s claims, calling the proposed measure “a bit perplexing and very misguided.”

“Today’s customer wants convenience and less has-

sle when shopping,” Gilliam wrote in an email to the Oregon Capital Bureau. “This is evident in the growth of online shopping for local pick-up and home delivery. This measure is tone deaf to what the public is demanding in the marketplace.”

He said that self-checkout lets customers check out more quickly and privately. He said presuming that self-checkout machines would replace workers is “simply untrue.”

“Employees are our lifeblood and provide key services that no machine can duplicate,” Gilliam said.

The measure would give the state Bureau of Labor and Industries enforcement power and let it issue penalties for stores that provide too many self-service stations.

In court documents, McDonough argued the proposed restriction would have a “substantial impact” on retailers and shoppers.

She argued that the ballot title wasn’t clear that “virtually all Oregonians” could sue grocery stores that have more than two self-checkout kiosks.

“The ballot title pro-

cess, which we were just in, is about making sure, if the measure actually gets on the ballot, that the words that describe it accurately reflect what the measure’s going to do,” said McDonough in an interview Wednesday.

She added, “And we’re going to wait to see if it makes it on ballot. And if it does, then we’ll assess what we’re going to do about it. But from our perspective, this is really about what consumers want.”

Evan Christopher, a lawyer for Gilliam, echoed similar concerns about potential lawsuits in a letter to the Secretary of State’s elections division last fall.

“Voters must be informed that (the initiative petition) permits every employee who complains about a self-checkout and is later terminated or demoted or given a different work schedule to call his or her employer into court on a claim of retaliation,” Christopher wrote. “Every customer who files a complaint about a self-checkout machine and is later asked to leave the same store — for whatever reason — would have the same claim.”

River: Homeless and environment hot topics at north bank meeting

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facilitate the process.

Prado said the goal of the committee wasn’t to formulate definitive plans for the north bank or expend public resources on new projects. Instead, the committee’s goal was to produce a document that would reflect the community’s collective vision for the relatively undeveloped area.

As homelessness has risen in Pendleton, so too have homeless camps along the north bank.

In 2018, a fire started by a homeless camp threatened some nearby homes before being put out. The following year, the Pendleton Police Department cleared out 22 camps situated along the river.

Illicit activity along the river was on the minds of some of the attendees.



Staff photo by Ben Lonergan

A rusted axle and leaf springs rest among the foliage on the north bank of the Umatilla River in Pendleton on Thursday afternoon.

Northwest Bailey Avenue resident Roxanne Duchek said she and her

neighbor recently went down to a north bank area near their homes and

cleared out brush and trash themselves, and the “criminal activity” she used to see

has since gone away.

“We got rid of the problem of disrespect,” she said.

Others in the audience felt like the homeless were being scapegoated for the north bank’s issues and even if the city cleared out the homeless, they would still end up elsewhere in town.

Jim Willis, a North Hill resident who led the effort to prevent the city from selling the piece of north bank property, said there was a “yin and yang” to maintaining the north bank: Clearing out brush and vegetation might prevent camping, littering and fire hazards, but it also repels wildlife that congregates in and around the river.

Humans aren’t the only ones clearing out weeds and plants. For several years, the city has hired a herd of goats to graze on both sides of the river to clean up

potential fire hazards.

Pendleton resident Karen Wagner noted that over the years, the native plants and grasses along the Umatilla River have been replaced by invasive species like cheatgrass and puncture vine, further hurting the local environment.

While Prado stressed that the committee wanted to hear from as many people as possible, audience member George Winter took a more spiritual approach to advocating for the environment.

“I didn’t see a place where we could listen to the river speak,” he said.

Prado said there would be more opportunities for input before the committee delivers its report, starting with another public meeting on Feb. 19 and continuing on with a multi-month process that includes focus groups.

Records: Council will be looking for a new advocate come March

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League of Oregon Cities, proposed measure amendments to strike language dealing with the advocate’s voting power. He also wanted the group to drop its plans to seek public records legislation.

Instead, the council voted to approve the bill as it was proposed. Members also authorized Chair Stephanie Clark and acting Public Records Advocate Todd Albert to propose legislation. Winkels was the lone no vote.

In addition, the council decided to advertise beginning March 9 for a new public records advocate. The council expects to review applicants and hire someone in April.

‘Torpedo’ proposed bill

During Wednesday’s debate, two members of the council — Les Zaitz, editor and publisher of *The Malheur Enterprise* and chief of the Oregon Capital Bureau, and Steve Suo, *The Oregonian’s* investigations editor — raised concerns that amendments proposed by Winkels’ organization put the council in an awkward position.

“I’m uncomfortable having a council member presenting and promoting the special interest they’re paid to represent,” Zaitz said. “While it might be interesting informationally, it just strikes me as inappropriate. I’m concerned that going into a discussion of amendments that are not

of the council’s doing provides, frankly, a special entree to the council that other organizations don’t appear to have.”

Suo said it was disruptive to the process to have one member to try to “torpedo” a proposed bill the council supported.

Council member Mark Landauer, executive director of Oregon Public Ports, said he didn’t view the league’s amendments as an attempt to torpedo the bill. He saw them as a difference of opinion on the council’s mission.

Winkels said the amendments were more about cleaning up “sloppy” language dealing with the council’s authority to propose legislation, a constitutional right already available to the group. He also said the league did not agree that the public records advocate should be an independent office. The advocate’s position was created in 2017 under the governor’s authority.

“If the league doesn’t feel like this is a good bill, we should be able to offer an alternative,” Winkels said.

Limiting council’s independence

During public testimony, Stayton City Councilor Jordan Ohrt said she supported more independence for the council and the advocate. Former Public Records Advocate Ginger McCall, who resigned in September 2019, also opposed the amendments.

“One thing I’d point out

to be wary of is that the language in the amendment says the council can ‘vet and review’ proposals by others. Having that language in there could be interpreted as limited, so that then council is not placed or positioned to propose legislation on its own,” McCall told the council.

Independence for the public records advocate and the council was particularly important because of the situation surrounding McCall’s exit. In a letter to Brown in September 2019, McCall cast light on disagreements she had with Brown’s top attorney, Misha Isaak, over whether it was the advocate’s responsibility to be a member of the governor’s team or an independent authority.

“If the advocate were to represent the interests of an elected official while allowing the council and the public to believe that she is acting independently, that would be both unethical and particularly inappropriate for an office that was founded to promote transparency,” McCall wrote.

Lawmakers created the office of the public records advocate in 2017 to increase transparency in state and local government. It also was designed to mediate disputes over public records. Brown proposed the advocate and the council as a way to increase state transparency after ascending to the governor’s office when former Gov. John Kitzhaber resigned.



Staff photo by Jade McDowell

A poster shows potential designs for wayfinding signs in Hermiston.

Wayfinding: Creating a unified brand

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realized we really need a comprehensive design plan for the whole city,” he said.

The project would use a mixture of elements. Current, mismatched signs at features, such as city parks, would be replaced. New signs for motorists would point the way to attractions ranging from schools to trails to government buildings, such as the courthouse or DMV. Maps and kiosks would be posted to orient pedestrians. Arches or other decorative features would beckon people to a clearly defined downtown district, and the city’s seven municipal parking lots in the district would be numbered and clearly marked.

“Currently, they have nothing,” Swantak said of

the parking lots. “I don’t even know if I’m allowed to park there. So, we will label them as public parking and include any regulatory information.”

The signs would all fit the same decorative theme. Swantak presented three potential design themes — one inspired by the city’s “Where Life is Sweet” logo on the water tower, one with a more historical feel and one with an outdoor theme that uses natural elements, such as stone and wood.

Beyond signs, MERJE would also help the city create a more coordinated effort to help visitors find their way around Hermiston through other means, such as providing user-friendly, up-to-date maps on websites and at the chamber of commerce.

“When you talk about

wayfinding, people always talk about signage, but it starts before people get there,” Swantak said, adding he wanted messages to visitors “all talking in the same language.”

Swantak said the goal for the project will be to come up with a comprehensive list of what attractions need highlighted, where signs for those attractions need to be located and which type of sign should be used. The list can then be presented to the city council for a vote, and the city can prioritize that list.

Spencer said he had money in the urban renewal budget for signs in the urban renewal district, but other signs will need to be phased in over time as the city finds money through grants, donations or the general fund.