



# American Association of University Professors

*Academic Freedom for a Free Society*

Revised 4/14/17

The Oregon Conference of the American Association of University Professors (AAUP-Oregon) has taken the following positions on bills that have been introduced in the 2017 legislative session. AAUP-Oregon represents about 3500 faculty members and academic professionals in Oregon; most are members of United Academics at the University of Oregon and the Portland State University AAUP chapter. Each local collective bargaining chapter also endorsed all of the following positions.

## House Bills

**HB 3428: puts all public employees into Coordinated Care Organizations, disbands Oregon Educators Benefits Board and changes PEBB's duties—oppose.** This bill would change the health care options available to AAUP-Oregon members and is likely to have a negative effect on coverage and level of benefits.

**HB 3170: revises the Public Employee Collective Bargaining Act to allow faculty with some limited supervisory authority to organize—support.** This bill would allow principal investigators leading research teams, department heads and other faculty currently excluded from bargaining to organize if they choose.

**HB 2019: provides information about tax payments by certain Oregon corporations—support.** This bill requires the Department of Revenue to submit to Legislative Revenue Officer information from Oregon tax returns about certain corporations.

**HB 2940: requires disclosure of taxes by some Oregon C corporations—support.** Similar to 2019, this gives us a better picture of what some large corporations are actually paying in taxes.

**HB 3290: creates competency based on-line baccalaureate degree program—oppose.** This bill requires the Higher Education Coordinating Commission to recognize and endorse online, competency-based education as an important component of Oregon's system of higher education and to select a regionally accredited nonprofit online baccalaureate degree granting institution of higher education to work with and to integrate programs and services of institution into Oregon's higher education policy and strategy. This is a dangerous bill that infringes

on faculty rights and sets up a competency based degree program outside the existing university system.

**HB 3317: changes minimum wage categories, excludes farmworkers—oppose** Effective January 1, 2018, this bill repeals the nonurban county minimum wage tier and replaces it with urban minimum wage tier for certain cities, increasing incrementally on annual basis through 2023 and provides that farmworkers get paid at less than the minimum wage.

**HJR 29: would send a constitutional amendment to voters requiring 3/5 majority for budget bills—oppose.** This will make it much, much harder to pass state budget bills and more likely that such bills would be blocked by a minority.

**HB 3013—changes assumed interest rates used by PERS—oppose.**

Directs Public Employees Retirement Board to use lesser of assumed interest rate for system determined by board or assumed interest rate published by federal Pension Benefit Guaranty Corporation in formulating actuarial equivalency factor tables for purpose of computing payments to members of Public Employees Retirement System. This is another PERS bill that allows them to look for lower actuarial estimates in order to cut benefits. It also provides for court challenges to go straight to the Supreme Court.

**HB 3130—public employee health care benefits changes—oppose.** This bill modifies the funding mechanism for public employees' health care benefits to avoid excise tax under Patient Protection and Affordable Care Act. It requires local governments and school districts to participate in modified health care benefit plan. Permits public employees to redirect funds from health care premiums to other benefits. Dedicates portion of health care benefit costs to future health care costs and to critical services. Requires Public Employees' Benefit Board and Oregon Educators Benefit Board to assist employees in selecting benefit options. Excludes collective bargaining for specified health insurance benefits. Prohibits Public Employees' Benefit Board and Oregon Educators Benefit Board from self-insuring. Establishes Task Force on Flexible Benefits for Public Employees to monitor implementation of new benefit plans. Sunsets task force December 31, 2021. This bill takes away our right to bargain on health benefits, puts an individual cap on what can be spent for health care, and forbids PEBB and OEBB from self-insuring. It will mean a cut in benefits and bargaining rights.

**HB 2976: public employers to disclose collective bargaining agreements—oppose.** This bill requires public employer to publish proposed collective bargaining agreement and cost analysis before signing. This makes it much harder to come to an agreement with employer without outside interference. Gives public and anti-union forces opportunity to intervene in the bargaining process before agreements are signed.

**HB 2005: relating to pay equity—support.** This bill provides definitions related to pay equity, makes discriminating around wage or salary rates illegal, makes it illegal to screen job applicants based on salary history, and extends time limitation to bring certain pay equity claims by making each subsequent payroll action that is based on underlying pay equity violation actionable. Adds additional remedies and extends timelines for pay equity claims.

**HB 2187: requires issue subject to collective bargaining during term of collective bargaining to be resolved through binding arbitration—support.** Bargaining on issues between contracts would now be required by statute to go to binding arbitration if not resolved by negotiation or mediation. This gives us one more safeguard for making sure issues are fairly resolved.

**HB 2265: allows parties in collective bargaining to agree when to start 150 day clock—oppose.** This could give employers room to manipulate the public employee bargaining timeline and get to implementing a final offer more quickly.

**HB 2587: revises the 40-40-20 goals for Oregonians—support.** This bill takes out the numerical goals (40% of Oregonians have a 4 year degree, 40% have a two year degree and 20% have a high school education) and instead establishes goals to take students' aspirations into account and provide all students with a well-rounded education.

**HB 2830: increases corporate excise taxes—support.** Increases corporate excise taxes by four tenths of one percent.

**HB 2831: raises taxes on s-corporations—support.** This raises the minimum tax on S-corporations with more than \$25 million in Oregon sales. The tax goes from \$150 to \$1000. S-Corporations with fewer sales stay at \$150.

**HB 3217: requires labor negotiations with public employers to take place in open meetings—oppose.** The parties to a labor negotiations should get to set the ground rules for bargaining, including who is allowed to watch the sessions. This could allow anti-union forces to derail negotiations.

**HB 3218: requires public employee unions to be recertified by vote every four years—oppose.** This is an onerous, anti-union bill designed to make things much harder for public employee unions.

**HB 3219: requires that new public employer collective bargaining agreements be posted publicly within 24 hours of being executed—oppose.** This is unnecessary. Unions already publish CBAs on their websites routinely.

**HB 5008: Budget allocation request for the Employment Relations Board—support** The ERB does important work in providing mediators and facilitators for bargaining, as well as processing unfair labor practice charges.

## **Senate Bills**

**SB 527—allows school districts to provide benefit plans outside OEGB—oppose.** Authorizes common school district, union high school district or education service district that is self-insured or that has independent health insurance trust to provide or contract for employee benefit plan other than plan provided and administered by Oregon Educators Benefit Board. This would break up the OEGB purchasing pool and allow districts that could get a better deal to leave, raising costs for taxpayers as the OEGB costs go up.

**SB 950—allows local public employers to disallow mandatory union dues—oppose.** This bill says that it “allows local public employer to enact right to work legislation”. It’s very strangely written, but the gist is that public employers are not allowed to require employees to join a union or pay fees in lieu of dues. Unions are not required to represent non-members. This is designed to weaken or break public employee unions in the state.

**SB 879: puts a faculty member and a non-faculty staff member on the Oregon Health Sciences University Board—support.** This brings OHSU’s practice in line with the rest of the universities in the state. It makes sense for the OHSU faculty and grants them more of a voice in decisions.

**SB 648: amends open meeting law to require labor negotiations to be done in open meetings—oppose.** Labor negotiations should be under the control of the parties to the agreement. This could have a seriously deleterious effect on bargaining.

**SB 214-1: takes post doctoral students out of PERS and requires universities to match contributions to another retirement fund—support.** Our locals spent time working with the university administrations and each other to come up with a good amended bill. This clearly defines post-doctoral work to delete any incentive to move bargaining unit work to post-docs, takes them out of PERS (most of them never vest in PERS) and commits universities to match post-doc contributions to a university-sponsored plan.

**SB 813: puts a graduate student on each university board of trustees—support.** This bill adds a graduate student slot to each university board of trustees.

**SB 410: allows local governments to opt out of paying increased minimum wage—oppose** Allowing local governments to opt out of the minimum wage law is wrong. Local governments should help set standards in our communities, not undermine those standards.

**SB 196: adjunct health care—support.** This bill provides that adjunct faculty teaching at more than one state institution of higher education can combine their hours from all state institutions, thereby becoming eligible for health benefits.

**SB 405: abolishes the Oregon Retirement Savings Plan—oppose.** This program was set up last session to provide Oregonians a way to save for retirement. This bill would reverse that.

**SB 559: PERS changes—oppose.** Changes calculation of final average salary from three years to five years for PERS retirements after January 2018, directs PERS to recalculate employer contributions based on savings.

**SB 560: PERS changes –oppose.** This bill redirects personal IAP contributions to pay for member's pension or other state PERS liability. Ends IAP program for new hires. For years beginning in 2018, caps at \$100,000 annual salary used to calculate final annual salary.

**A Better Oregon: revenue for state services from increasing corporate taxes—support.** AAUP-Oregon has endorsed and continues to participate in A Better Oregon, the coalition coming out of the attempt to raise corporate taxes to pay for services. We continue to join with other organizations in pushing for game changing revenue and to require that corporations pay their fair share. Oregon should not be 50<sup>th</sup> in corporate tax share.