

# Senate Bill 989

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## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Eliminates requirement that both issue of representation by labor organization and issue of designation of organization as exclusive representative be placed on same ballot for representation elections for faculty of certain universities.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to collective bargaining elections for faculty of certain universities; amending ORS 243.686;  
3 and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 243.686 is amended to read:

6 243.686. (1) The Employment Relations Board shall place on the ballot only those labor organ-  
7 izations designated to be placed on the ballot by more than 10 percent of the employees in an ap-  
8 propriate bargaining unit.

9 (2) The ballot shall contain a provision for marking no representation.

10 (3) The board shall determine who is eligible to vote in the election and require the employer  
11 to provide a complete list of all such eligible persons, their names, addresses and job classifications  
12 to each candidate organization on the ballot at least 20 days before the election is to occur.

13 (4) The labor organization which receives the majority of the votes cast in an election shall be  
14 certified by the board as the exclusive representative.

15 (5) In any election where there are more than two choices on the ballot and none of the choices  
16 receives a majority of the votes cast, a runoff election shall be conducted. The ballot in the runoff  
17 election shall contain the two choices on the original ballot that received the largest number of  
18 votes.

19 *[(6)(a) In conducting an election involving the faculty of a university administered by the State  
20 Board of Higher Education, the Employment Relations Board shall place on the same ballot provisions  
21 for voting on two issues:]*

22 *[(A) For or against representation; and]*

23 *[(B) For those labor organizations designated to be placed on the ballot by more than 10 percent  
24 of the employees in an appropriate bargaining unit.]*

25 *[(b) If a majority of votes in paragraph (a)(A) of this subsection are cast in favor of no represen-  
26 tation, the board shall not count the votes cast for labor organizations and shall certify no represen-  
27 tative for the unit.]*

28 *[(c) If a majority of votes in paragraph (a)(A) of this subsection are cast in favor of representation,  
29 the board shall count the votes in paragraph (a)(B) of this subsection for the designated labor organ-*

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 *izations and, if an organization receives a majority of those votes cast, shall certify that organization*  
2 *as the exclusive representative. If no labor organization receives a majority of the votes cast in para-*  
3 *graph (a)(B) of this subsection, a runoff election shall be conducted. The ballot in the runoff election*  
4 *shall contain only the two labor organizations that received the largest number of votes.]*

5 [(7)] (6) Nothing in this section is intended to prohibit the waiving of hearings by stipulation for  
6 the purpose of a consent election, in conformity with the rules of the board.

7 **SECTION 2. This 2010 Act being necessary for the immediate preservation of the public**  
8 **peace, health and safety, an emergency is declared to exist, and this 2010 Act takes effect**  
9 **on its passage.**

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