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Subject: Skirting the Supreme Court's Janus decision
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Rep. Greg Barreto's Newsletter

Skirting the Supreme Court's *Janus* decision

March 28, 2019



[Video link to Representative Barreto's floor speech](#)

Dear Friends,

On Wednesday, the House of Representatives voted on HB 2016 which would skirt the Supreme Court's Janus decision. Sorry to report that this bill did pass out of the House Chamber on a partisan vote. I would like to share my floor speech with you and have also included a link to watch the speech.

Thank you Madam Speaker.

March 27, 2019

To the Bill:

Colleagues:

[House Bill 2016](#) gives unlimited paid time off for unions to engage in union business. These are jobs paid by the taxpayer. The state has offered no estimate on how much this could cost taxpayers.

This bill would set in statute a number of issues that are currently the subject of collective bargaining. Cities and school districts currently bargain with unions over allowable shop steward time, with contracts specifying the number of allowable work hours that are spent on union business. HB 2016 would require public employers to grant "**reasonable** paid time" to designated union representatives to conduct union business, an open-ended commitment that public employers say will remove any limits on the costs they'd have to cover.

What is "reasonable time off and who will determine this?"

Let's consider if this bill is:

Open? Transparent? Fair? Equitable?

How is it open, transparent, fair and equitable when the bill provides unions with virtually unlimited access to employees' personal information, including home and cell phone numbers, emails and addresses, **while restricting access to that same information to other private entities? This information must be provided every 120 days and within 15 days of a new hire. Including employees' membership status with the union and email correspondence between the union and employees within a represented bargaining unit.**

And it allows unions to use work email systems to conduct union business **while prohibiting** any other entity or individual from using the same systems to educate on the other options.

I hope these kinds of manipulative tactics, when the state employee truly understands them will build a disdain for these practices of the public unions that attempt to control them and inhibit their free speech and decisions.

Sometimes in the legislature we are accused of nepotism.

So what is the definition of nepotism?

"The practice among those with power or influence of favoring relatives or **friends**, especially by giving them jobs." Urban Dictionary

Well, this bill isn't too far from doing the same thing. It's certainly no secret that the unions use their numbers, dollars, and influence to elect political party members that put forth a bill such as this in order to curry favor, build their political army and win elections.

This was one of the arguments of free speech that brought about the Janus

decision. Because there are a lot of public employees that pay dues that have been spent on a political party that they don't align with.

HB 2016 also protects the Unions from being liable for unrightfully deducting dues. If the union unrightfully deducts dues from a public employee, the union can only pay damages that do not exceed the amount taken from the employee. No penalties for unethical practices? What are we promoting?

HB 2016 declares the following as an "unfair labor practice":

Attempting to influence an employee to resign their union membership or abstain from joining the union. (Yet provides union representatives the "**right**" to meet "**one on one**" with new employees regarding joining the union)

How is this Fair and Equal treatment?

Open and transparent?

Not allowing both sides to be presented to employees, and now we want to make this law?? Allowing both sides to be heard is basic! Isn't this what is done in the court room to bring about justice? Isn't that what is done in committee to get both sides of a bill we are considering?

You have to ask is this **freedom of speech or controlled speech?**

What is the threat in allowing an employee to hearing the options?

Does HB 2016 fit with the recent narrative of changing a hostile environment in the work place and the trainings we have all received?

This bill changes the rules on how a union member can "opt-in" by now using telephonic dues deduction authorization. It also allows the unions to determine how an employee may revoke dues payments including the possibility of making them hand deliver their opt-out form.

Is this an intimidation tactic? Is this bullying? Is this the way any of you would like to be treated? Isn't this the kind of treatment that is so deplorable in large corporations, or any private sector job? And yet it is OK when it comes to public unions???

Not allowing public employees information on all their options regarding their constitutional rights under the **Janus** decision by the Supreme Court is a threat to their personal liberties and freedoms.

As I said during the committee hearings: "In my opinion this is just an obvious maneuver by the majority party that gives unions a power grab to access employee information unavailable to anyone else"

employee information unavailable to anyone else .

And for what? For political advantage and power.

This bill reminds me of the coach that's winning 50 to 0 at halftime and then comes back in the game and puts the first string back in because he wants to crush the other team so he can show off their dominance.

But in this case, HB 2016 goes further, it eliminates free speech in the work place, allows for protection of possible abuses of improper due collections and gives previously protected information to the union representatives **ONLY**.

I hope the public union members that understand the abuse of power they are subject to in this bill in order to game the political system, will see the inequity that is being proposed.

Colleagues I recommend a NO vote on HB 2016.

Thank you Madam Speaker

Representative Greg Barreto
House District 58



State Representative for Oregon House District 58

***Wallowa & Union County Legislative Update Schedule Set for
2019 Session***

Senator Bill Hansell (District 29) and Representative Greg Barreto (District 58) have partnered with the Wallowa Co. Chamber of Commerce, Union Co. Farm Bureau and OSU Extension Service to provide local constituents with updates during the 2019 legislative session via live video-conference connection to the Oregon State Capitol. The video conference series provides a timely opportunity to interact with our elected officials regarding proposed legislation of interest to you.

Interested parties may participate in the sessions by attending in person either at the OSU Extension Service office in Wallowa County (668 NW 1st, Enterprise, OR, 97828) or at the OSU Extension Service office in Union County (10507 N McAllister Rd, La Grande,

OR 97850). Each session starts at 7:00 a.m. and ends at 7:45 – 8:00 a.m. on the following dates:

April 9
April 23
May 14
May 28
June 11
June 25

Please contact Debi Warnock (541-426-3143) in Wallowa County or Darrin Walenta (541-963-1010) in Union County with questions regarding the video conferences or with requests for additional information.

BMCC Legislative Video Conferences

The first and third Wednesday of each month from February through June, Sen. Bill Hansell (R-Athena) and Rep. Greg Barreto (R-Cove) will appear via video from Salem, where they're in the middle of a Legislative session. The meetings will be open to all, and participants can ask questions or air concerns, and discuss proposed bills with the legislators.

The series of video conferences are held in the Boardroom in Pioneer Hall from 7-7:45am and are hosted by BMCC and the Pendleton Chamber of Commerce.

April 3
April 17
May 1
May 15
June 5
June 19

Representative Barreto's Committee Assignments for the 2019 Session

Natural Resources Committee
Business and Labor Committee
Economic Development Committee

Helpful Links-

[OLIS](#)

Oregon Legislative Information System

OLIS is a new, web-based system that the Legislature uses to make information more accessible.

[Representative Greg Barreto Oregon State Legislature web site](#)

[Oregon State Legislature web site](#)

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