

# CHRO News

Chief Human Resources Office Quarterly Newsletter

## 2015 Legislation | Human Resources *Hot* Topics

CHRO has highlighted several *hot* bills from the 2015 Legislative Session that have a statewide HR impact. If you would like to see all the bills related to Human Resources, please visit the [CHRO Policy](#) page.

### [HB 2007](#)

Makes a disciplinary action against an employee who discusses or discloses wage information an unlawful employment practice. This does not apply to an employee who has access to wage information as part of their job and discloses another employee's wage information.

### [HB 2214](#)

Includes Oregon nonprofit corporations as a public employer for purposes of transfers of public employees.

### [HB 2255](#)

Modifies law requiring state agencies to attain a 11 to 1 ratio of non-supervisory employees to supervisory employees. Creates a workgroup to compile recommendations.

### [HB 2600](#)

Requires the State to provide continued health coverage while an employee is on OFLA, same as FMLA. *(See more information on page 2.)*

### [HB 3037](#)

Modifies public records law recreating additional personal details to be exempt.

### [SB 454](#)

Requires all employers to implement paid sick time for employees. Employees are eligible for one (1) hour of leave for every thirty (30) hours worked. This applies to State temporary employees, language currently excludes bargaining unit members. *(See more information on page 2.)*

### [SB 492](#)

Authorizes the use of accrued sick leave or personal business by employees who are victims of domestic violence, harassment, sexual assault or stalking.

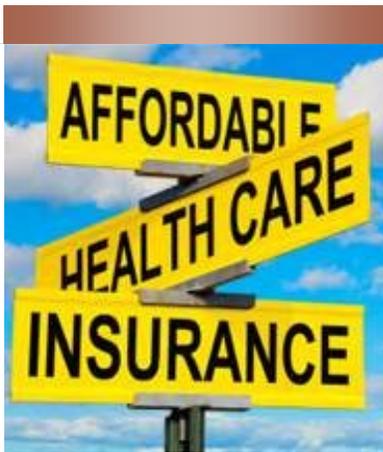


### Inside this issue

2015 Legislation .....	1
ACA .....	2
Oregon Sick Leave .....	2
OFLA Health Insurance .....	2
Classification Update .....	3
SEIU Bargaining Highlights .....	4
LRU Contacts .....	5
Current HR Jobs .....	6
Open Enrollment .....	6

### Special points of interest

- Legislative Update
- SEIU Bargaining Highlights



## Affordable Care Act | *End of the Standard Measurement Period*

As a reminder, we are approaching the end of the Standard Measurement Period (November 1, 2014 through October 31, 2015). At the end of the Standard Measurement Period agencies should:

- Measure all variable hour employees to determine if any worked at least 1560 hours during the Standard Measurement Period. Any employee who reaches 1560 hours enters the Stability Period for the 2016 calendar year, and must be offered coverage during the administrative period (November 1, 2015 through December 31, 2015). Once an employee enters the Stability Period, they remain eligible for health benefits for the duration of the Stability Period regardless of

the number of hours actually worked in a given month, so long as they remain an employee.

- Employees who are on unpaid, unprotected leave during the Standard Measurement Period also must be measured to determine if they should be in a Stability Period during the 2016 calendar year. Any FMLA or OFLA time (Special Unpaid Leave) an employee used counts toward the 1560 hours.

There is additional information, instructions and forms regarding the [Affordable Care Act](#) on the CHRO website. You can also send questions pertaining to ACA to [chro.aca@oregon.gov](mailto:chro.aca@oregon.gov).

*We are approaching the end of the Standard Measurement period (November 1, 2014 through October 31, 2015). It is time to measure variable hours for employees to determine eligibility for the 2016 stability period.*

### OFLA | *House Bill 2600*

Effective January 1, 2016, employees who are on leave under Oregon Family Leave Act (OFLA) are eligible for continued group health insurance coverage. The legislation requires employers to continue to pay the premiums for group health insurance coverage for the employee similar to the Family Medical Leave Act (FMLA). Employees are obligated to continue to pay their portion of the premiums if they want to maintain coverage. Employees who either exhaust OFLA and are not eligible under ACA or decide not to continue their coverage will receive a COBRA notice.

CHRO is currently working on updating applicable policies and the toolkit.

### Oregon Sick Leave | *Senate Bill 454*

Effective January 1, 2016, the State will be required to provide sick leave for all temporary employees. Temporary employees will accrue one (1) hour of sick leave for every thirty (30) hours worked. The law allows employees to take accrued leave for their own health condition or to care for a family member (as defined under OFLA) with a health condition. The law prohibits discrimination against employees for inquiring about or using sick leave. Violations are considered an unlawful practice subject to the jurisdiction of BOLI. In addition, the law authorizes civil action for violations.

CHRO is currently working on updating the applicable policies, toolkits and developing a sick leave process in collaboration with OSPS. Here are some of things we are trying to determine:

- Back-loading or frontloading hours;
- Eligibility period for use (law sets maximum of ninety-one (91) days);
- Expiration of hours after separation (law sets minimum of (180) days); and
- Exclusion of collective bargaining employees (law allows).



# Management Classification and Compensation Work Stream | *Update* Governor's Briefing

Agency Directors from the Project Steering Team met with Governor Brown last week to brief her on our efforts to support high performing managers across Oregon state government. The team was excited to share the work to-date, including the establishment of a classification system that better captures all of the important work you do each day. The Governor was very engaged in the conversation and asked many questions.

Governor Brown recognized the need to improve the relationship between the state and its managers, and expressed a desire to stay informed as we move forward in each of our three work streams: Classification and Compensation, Management Career and Manager Empowerment and Accountability.



## CURRENT CLASSIFICATION WORK

Agencies and the DAS Class and Comp staff are finishing up their work to allocate supervisory management positions to the new classification system. By now, many supervisory managers have received their preliminary job allocation notifications. Those who have not received preliminary notifications should expect to receive their notification after September 14, 2015. If you have questions about your preliminary allocation, please contact your agency HR department.

One type of position remains for this first phase

of new classification work. These are the very high level, non-supervisory management, and non-supervisory executive service PEMs. We are now referring to this group as “Consultant/Advisors.” Consultant/Advisor work is generally at a higher level of complexity, impact and decision-making than found in an existing class series of similar work (i.e. Operations and Policy Analyst, and Program Analyst series). Employees in positions in this category can expect to be notified of their preliminary allocation after November 9, 2015.

## CURRENT COMPENSATION WORK

With direction from the Project Steering Team and guidance from our consultant, the Chief Human Resources Office is making significant progress in developing a new pay delivery structure for supervisory management classifications. Our goal is still to finalize the new pay structure,

and notify managers of their specific compensation in early 2016. Remember, notification and implementation dates will be different. Once the pay structure is developed we will still need to develop an implementation plan.

## FUTURE CLASSIFICATION WORK

Phase II of the Management Classification and Compensation work stream will begin in January 2016. All remaining non-supervisory management service positions will be included in this phase. We are committed to creating this new and efficient system that works. To do that we have to invest the time to make that happen.

As always, we appreciate your patience and support as we continue to work through this work stream. You can find more information on the [TOMP Class/Comp](#) web page or get answers to your questions through your agency HR management staff.

## Management Package

Now that the majority of collective bargaining agreements are settled and ratified, we are turning our attention to staff not represented by a bargaining unit.

For the first year of this biennium, all employees in management service, executive service and unrepresented employees will receive the same 2.25% cost of living increase agreed to in the AFSCME contract. The increase goes into effect December 1, 2015.

In order to give flexibility to address compensation issues including pay equity, compression and moving to a modern market-based compensation system for managers, no decision has been made regarding a COLA in the second year. That decision will be made no later than June 30, 2016.

In addition, management service, executive service and unrepresented employees receive:

- The same insurance contribution that was bargained with SEIU and AFSCME Central Table – 95% state contribution, or 99% state contribution if employee chooses a lower cost plan.
- The day after Thanksgiving added to the list of holidays.
- The ability to cash out 300 hours of vacation leave upon separation from State of Oregon service (*effective immediately*).

CHRO is currently working on a FAQ sheet to answer questions.



## SEIU Bargaining *Highlights continued...*

### Article 49

- A trial service period will be required for the following:
  - \* Initial appointment to state service.
  - \* Lateral transfer within the employee's agency to a different classification.
  - \* Lateral transfer to a different agency.
  - \* Rehire to state service within two years of separation, including reemployment.
- Added language that employees would be provided feedback on their work habits and ability to perform their duties satisfactorily during their trial service period. **Intent:** Requires managers to give feedback to employees during their trial service period. Failure to provide feedback during the trial service and trial service removals are not grievable.

### Article 56

- Added the ability to use sick leave if employee, or an employee's minor child, is a victim of domestic violence, harassment, sexual assault or stalking.
- Removed requirement that hardship donations shall be used to reimburse Agency for insurance contributions.
- Employees are now eligible to request hardship donations for parental leave.
- Employees may retain up to a total of sixty (60) hours of vacation and/or comp-time for use when returned from FMLA/OFLA.

### Article 57

- New LOA requiring bereavement leave to run concurrent with OFLA (if applicable).
- Employee may request to use paid leave or leave without pay if additional time is needed beyond the twenty-four (24) hours of leave.

### Article 58(T)

- The Friday after Thanksgiving will be recognized as a state holiday.
- An employee has the choice of receiving an alternate eight (8) hours of compensatory straight time or straight time pay if a holiday falls on a regularly scheduled day off. Prorated for part-time, seasonal, or job share employees.
- Temps will be paid time and a ½ for any hours worked on a holiday and will receive holiday pay for the remainder of their regularly scheduled shift up to eight (8) hours. **Intent:** Creates consistency for temps who work partial shifts on a holiday.

### Article 66

- New employees may use their vacation leave immediately after six (6) months of service. Seasonal employees may use their vacation leave immediately once they reach 1,040 hours of service.
- Employees can cash-out up to 300 hours of vacation upon separation or layoff.
- If an employee transfers to another state agency covered under SEIU they may transfer 100 hours of vacation. Agencies maintain the right to grant an additional amount.

### Article 101(T)

- Agencies are required to provide a complaint form to employees for alleged violations under Maintaining a Professional Workplace policy. **Intent:** Provides consistency and accessibility if an employee has a complaint.

### Article 133

- Added the ability to use sick leave if employee, or an employee's minor child, is a victim of domestic violence, harassment, sexual assault or stalking.
- Employees who have exhausted all other forms of paid leave may be eligible for up to (160) hours of leave with pay each calendar year. Agency may request certification.



### Labor Relations Questions?

<a href="#">Craig Cowan</a>	378-5611
AFSCME (Adult Parole Officers, DOC, DOJ-OAJA), AOCE (DOC), CIA (Justice), SEIU Special Agencies Coalition (OSD)	
<a href="#">Nettie Pye</a>	378-3138
AFSCME (Building Codes, DPSST) , SEIU Human Services Coalition (DHS, OHA), SEIU Special Agencies Coalition (DAS, DCCWD, ODE, Health Related Licensing Boards, DOJ, OSL, OST, OSAC), STEA (ED)	
<a href="#">Joe Espinoza</a>	945-5858
AFSCME (Childcare), SEIU (Adult Foster Care Providers, Childcare, Homecare Workers)	
<a href="#">Erin Haney</a>	378-2705
AFSCME (DSL, DLCD, OLCC), SEIU ODOT Coalition (Forestry), SEIU Special Agencies Coalition (AG, PERS, TSPC, DVA, WRD, OWEB)	
<a href="#">John Nees</a>	378-2831
AFSCME (Dentist at DOC, Physicians, OYA-JPPO), SEIU Human Services Coalition (Employment, DHS w/NP, OHA w/NP), SEIU Special Agencies Coalition (DOR)	
<a href="#">Debbie Pillsbury-Harvey</a>	378-8321
AFSCME (CCB, Employment Dept Hearings, LTCC, REA, SACU), SEIU Human Services Coalition (Employment), Special Agencies Coalition (BOLI, Commission for the Blind, DCBS, WCB, OHCS)	
<a href="#">Kim Proffitt</a>	378-6483
AFSCME (OSH, OSFM, OSP) , ONA (BMRC, SACU), OSPOA (OSP)	
<a href="#">Glenn West</a>	378-3967
AEE (ODF, OPRD, ODOT), AFSCME (DEQ, OMD, OMD/OEM, OYA-JPPO), IAFF/PANG (OMD), KFAFFA (OMD), SEIU Institutions Coalition (BMRC, OSH, OYA), SEIU ODOT Coalition (ODOA, ODFW, OPRD, ODOT)	

## Human Resources | *Current* Job Postings

Everyone is *always* looking for talented employees, even in Human Resources but how can we find new employees if we don't advertise our needs? We discovered there is a serious lack of communication internally regarding open HR positions. To bridge this gap, CHRO has been working toward how to effectively communicate openings and how job recruitments could be used unilaterally. The *first step* communicating our needs ...

- 1) Starting October 1, 2015 CHRO will send out a list weekly of all current HR openings; and
- 2) We will include a list of current openings in the newsletter.

Additional information *will be* available as we move toward changing some of recruitment rules allowing us more flexibility.

Following is a list of *current* openings in State Human Resources:

Job #	Job Title	Department	Close Date
<a href="#">EDUC15-0907</a>	Human Resource Analyst 1 (Benefits and Leave Laws Specialist)	Education	9/29/2015
<a href="#">ODOT15-0788oc</a>	Human Resource Analyst 1 (FMLA/OFLA Consultant)	ODOT	10/7/2015
<a href="#">EMP15-0095SW</a>	Human Resource Analyst 3 (Human Resources Business Partner)	Employment	10/1/2015
<a href="#">DHS15-1050</a>	Principal Executive/Manager F (Senior Human Resource Manager)	DHS	10/4/2015

## Open Enrollment for 2016 | October 1 - 31, 2015

### [Download your Enrollment Guide](#)

1. [Complete your health assessment.](#)
2. [Choose your health plan.](#)
3. [Enroll in your 2016 benefits.](#)



---

**Thank you** for reading this edition of CHRO News. Look for the next edition in January 2016. If you have questions or suggestions for future articles please [email](#) us.

---