



Oregon

Kate Brown, Governor

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RE: Reopening of ERB's Salem Office

All:

On May 1, 2022, ERB will be reopening its Salem office to the public and resuming our normal open hours from 8 am to 5 pm, with a one-hour lunch closure between noon and 1 pm. In anticipation of that happening, we sent a survey to our stakeholders to get your input on how we should continue to provide services to you upon reopening. We received a robust response from over 100 of you, and then subsequently held a public meeting to discuss the results of that survey and get additional input from you. After taking all of that into consideration, I wanted to give you a roadmap of what ERB will look like beginning May 1 and into the near future. The caveat to all of this is what we also shared during the public meeting—none of this is firmly set, and we need to be flexible, adaptable, and open to changing our operations to best fit the needs of our stakeholders and best fulfill our statutory mission.

As an agency, our first takeaway is that many people are eager to resume in-person ERB services, be that hearings, mediations, trainings, or oral argument. At the same time, we also heard that you value the effectiveness and availability of virtual services, and that there are instances when virtual services are preferred. With that in mind, **once we reopen, we will offer both virtual and in-person options to the parties.** In scheduling services even before the COVID-19 pandemic, our agency took the approach of having participants confer and attempt to agree on the time and location for in-person services. We continued that approach throughout the pandemic, although the manner in which those services were conducted (virtual) was determined by our adherence to state workforce guidelines. During that time, and also before the pandemic, your professionalism allowed us to timely schedule services in a way that best met your needs; it was exceedingly rare that the agency had to schedule a service in a manner over the objection of a party. Upon reopening, we anticipate that the same level of professionalism will allow us to seamlessly provide services both virtually and in-person.

When scheduling a service for May 1 or later, we will typically provide you with available dates, then ask you to confer with the other party in an attempt to agree on a date. We will also ask you to confer about location, as we have always done, but that “location” option will now include providing the service virtually. In some cases, the parties may prefer a primarily in-person service, while some participate by electronic means. As an agency, we believe that we have the capacity to provide that as well, and will work with the parties in making those arrangements. We are hopeful and anticipate that there will be few cases where the participants are so at odds that we need to schedule a service at a time and manner over the objection of a party. Although we have that authority, it is far from our preference, and our longstanding experience is that we will rarely need to exercise it. Rather, we fully expect that we will be able to provide our services in a way that will satisfy the needs of the participants in each case, be that in-person, virtual, or some combination of both.

As we discussed at our public meeting, we also anticipate that we all will learn as we reopen, and that new approaches, or possibly new agency rules, will be needed. Your experience and input will be essential in making that assessment, and we hope that you will be open and candid with us about your experiences and let us know how we can improve our services. You may always reach out to me, any Board member, the State Conciliator, or any other agency staff that you are comfortable with, to let us know of any concerns, ideas for improvements, or other input. On that note, I want to again thank all of you for your patience and professionalism, particularly over the past two years as we all had to quickly adapt to a new environment. We also look forward to seeing you all soon (be it in person or on a screen) and to continuing to best fulfill our agency's mission.

Adam Rhynard
Board Chair