



EXECUTIVE ORDER 17-08

**STRENGTHENING PUBLIC EMPLOYEE
BARGAINING AND TRAINING PRACTICES**

WHEREAS, the State of Oregon must spend public resources responsibly, and must maximize the value received from every dollar it spends;

WHEREAS, the costs of recruiting and retaining the best possible state employees must be considered in the light of both the limitations of available public resources, and the benefits such high quality employees provide with respect to higher quality, more cost-effective, and more efficient delivery of services to Oregonians;

WHEREAS, each biennium the Oregon Legislature appropriates an amount of money available for the purpose of increasing state employee compensation, generally referred to as the “Salary Pot”;

WHEREAS, the Executive Branch engages in formal bargaining with many state employees regarding compensation;

WHEREAS, the State of Oregon is and should remain a market employer, capable of attracting and retaining top-tier employee talent to work for the public good;

WHEREAS, obtaining current information about comparable employers allows the State of Oregon to continue to be a market employer, safeguarding public dollars while providing competitive compensation; and

WHEREAS, it is in the public interest that the State provide training to new state employees to maximize their effectiveness and efficiency;

NOW THEREFORE, IT IS HEREBY DIRECTED AND ORDERED:

- I. Definitions. For purposes of this Executive Order, the following definitions shall apply:
 - A. “Salary Pot” shall mean the sums (if any) appropriated by the Oregon State Legislature on a biannual basis for purposes of increasing state employee compensation.
 - B. “Bargaining” shall mean any negotiation between the State of Oregon (through the Department of Administrative Services [DAS])



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on the one hand, and a bloc of state employees (generally, between one or more public employee labor unions), on the other hand, relating to the effort to reach an agreed-to contract covering public employee compensation.

- C. "Executive Branch" shall mean the Executive Department as defined in ORS 174.112, except that it shall not include the offices of the Oregon Secretary of State, Oregon State Treasury, Oregon Department of Justice.
 - D. "State employee" shall mean any employee of the State of Oregon.
 - E. "Market Employer" shall mean an employer whose employees earn, on average, between 95-105% the compensation earned by similarly situated employees in comparable markets.
 - F. "Step Increase" shall mean a salary increase from one salary step to another within a state employee's compensation range.
- II. Market Study. DAS shall, on a biannual basis, conduct a market study of Executive Branch employee compensation.
- A. This market study shall be completed by December 31 of the even-numbered year in every biennium.
 - B. DAS shall, before commencing the 2018 market study, evaluate the comparable markets to be used in the study to ensure that they include the employers the state most commonly competes with for the recruitment and retention of employees across classifications.
 - C. The State (through DAS) shall employ the data included in the market study in determining its position in bargaining.
 - D. In utilizing the market study in bargaining, the State shall seek to remain or regain its status as a market employer.



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III. Bargaining Within Salary Pot.

- A. When engaged in bargaining, DAS shall treat the Salary Pot as the source of General Fund funding, for the purposes of any bargained-for contract, for: (1) state employee cost of living adjustments (“COLAs”); (2) regular “step” increases in salary for Executive Branch employees; and (3) increases in state employee health care coverage costs.
- B. If, in the opinion of the Chief Operating Officer, the legislatively determined Salary Pot is insufficient for the State to be a market employer for the coming biennium, DAS shall as soon as practicable send a letter explaining this circumstance to the Governor’s Office, with copies sent to the President of the Oregon Senate and the Speaker of the Oregon House of Representatives. DAS’ letter shall identify the amount of money DAS believes would be required to permit Oregon to maintain or regain its status as a market employer.

IV. State Employee Training. DAS, in collaboration with Executive Branch agencies, shall develop and implement a policy (the “DAS Policy”) that identifies a statewide employee training program.

- A. All permanent Executive Branch employees hired on or after the effective date of the DAS Policy shall participate in the training program within one year of the completion of their trial service.
- B. The DAS Policy shall describe a suite of required trainings which include a core set of skills trainings common to all employees.
- C. The DAS Policy shall describe a series of additional trainings required for specific employees, as determined in consultation with the relevant Executive Branch agencies.
- D. All trainings provided subject to the DAS Policy shall be presented by qualified experts. Such experts may be state employees or outside vendors engaged for the purpose of providing training. The DAS Policy may distinguish between trainings that must be attended



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in person, and those that may be taken through remote learning, online, or other alternative platforms.

- E. DAS shall consult in good faith with labor unions representing state workers around the content and format of employee trainings, as appropriate.
 - F. DAS may exempt from this training requirement those employees for whom DAS concludes training is not an appropriate use of public resources, due to previous training or experience, current job duties, or for other reasons.
- V. This Executive Order will remain in effect unless and until it is superseded by a subsequent Executive Order or source of law.

Done at Salem, Oregon this 27th day of April, 2017.



Kate Brown
GOVERNOR

ATTEST:

Dennis Richardson
SECRETARY OF STATE