



Oregon Coalition of Police & Sheriffs

Advocating for Oregon's law enforcement officers.

YES on HB 3009-1: Addressing the *Janus* Decision

(HB 3009 must be engrossed with the 3009-1 amendments)

Before 2018's *Janus* decision by the U.S. Supreme Court, public employees in a union-represented bargaining unit were either full union members or could opt out of union membership but still contributed "fair share" payments to the bargaining unit to cover the costs of contract negotiation and contract enforcement, which are provided regardless of membership status:

PRE-JANUS:

	Regular Payments due	Involved in union governance	Support union Political activities	Represented exclusively by union	Contract negotiation provided	Contract enforcement and representation provided
FULL MEMBERS	Full dues	✓	✓	✓	✓	✓
FAIR-SHARE EMPLOYEES	Fair-share portion			✓	✓	✓

Since *Janus*, employees can now choose to make no payments at all to the bargaining unit, **but still be provided with the benefit of contract negotiation, enforcement, and representation.**

While some unions may choose to simply absorb these costs, law enforcement bargaining units have the potential to incur significantly higher costs than many other unions, and may not be able to easily absorb the cost of representing non-paying employees.

To address this ORCOPS has proposed **HB 3009 (with the 3009-1 amendment)**, which would allow law enforcement bargaining units the **option** (but not a requirement) to charge non-payers for services above and beyond contract negotiation. In this scenario, the union would still have a duty to represent the employee whether those services were union-paid or employee-paid. (Employees would still have the option to make "fair share" payments that would cover those services.)

UNDER HB 3009-1

	Regular Payments due	Involved in union governance	Support union Political activities	Represented exclusively by union	Contract negotiation provided	Contract enforcement and representation provided
FULL MEMBERS	Full dues	✓	✓	✓	✓	✓
FAIR-SHARE EMPLOYEES	Fair-share portion			✓	✓	✓
NON-PAYERS	None			✓	✓	Union may charge fees

HB 3009-1 will **only apply to law enforcement units**. Nothing in HB 3009-1 impacts the union's exclusive representation of employees, and the union's duty to represent employees is maintained.