

BILL BRADBURY
SECRETARY OF STATE



JOHN LINDBACK
DIRECTOR

141 STATE CAPITOL
SALEM, OREGON 97310-0722

ELECTIONS — (503) 986-1518

January 5, 2005

To All Interested Parties:

Secretary of State Bill Bradbury is responsible for the pre-election review of proposed initiative petitions for compliance with the procedural constitutional requirements established in the Oregon Constitution for initiative petitions. This review will be completed before approving the form of the cover and signature sheets for the purpose of circulating the proposed initiative petition to gather signatures.

The Secretary of State is seeking public input on whether proposed initiative petition (#16), satisfies the procedural constitutional requirements for circulation as a proposed initiative petition. Petition #16 was filed in our office on January 4, 2005, by Bill Sizemore and Grace I. Sizemore, for the General Election of November 7, 2006.

On the reverse side of this letter is a copy of the text of this proposed initiative petition. If you are interested in providing comments on whether the proposed initiative petition meets the procedural constitutional requirements, please write to the secretary at the Elections Division in the State Capitol. Your comments, if any, must be received by the Elections Division no later than January 27, 2005, in order for them to be considered in the review.

BILL BRADBURY
Secretary of State

BY:

Carla Corbin
Compliance Specialist

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OREGON: The Oregon Revised Statutes are amended by adding the following section:

Section 1. Right of public employees to vote on continued union representation. A public employer, for purposes of public sector collective bargaining or grievance disputes, shall not recognize a labor union or other employee association, unless it is known that a majority of the current employees in the bargaining unit have voted in favor of union representation.

- (a) Any election required under this section shall be conducted by the Bureau of Labor and Industry by means of a secret ballot, vote-by-mail election.
- (b) Each employee, who would be covered by the contract or reasonably would be expected to pay for the union's representation, whether by means of union dues, "fair share" payments in lieu of dues, or other means, shall be eligible to vote in the election and timely mailed a ballot. An employee not allowed an equal opportunity to vote in the election shall not be required to pay for union representation or other services provided by a union.
- (c) The question on the ballot shall be worded as follows: In the scheduled upcoming contract negotiations, do you choose to be represented by a union and pay your share of the cost of union representation?
- (d) If a majority of the employees participating in the election vote not to be represented by a union, union representation of that bargaining unit shall cease at midnight on the date the existing collective bargaining contract expires.
- (e) The employees in a bargaining unit in which a majority of the employees has voted not to be represented by a union may not be represented by a union thereafter, unless a majority of the employees vote in a similarly conducted election held not earlier than two years after the date of the last election at which the employees chose not to be represented by a union.
- (f) If any phrase, clause, or part of this section is invalidated by a court of competent jurisdiction, the remaining phrases, clauses, and parts shall continue to be in full force and effect; and if any phrase, clause, or part is found to violate one or more constitutional rights of any person or group, the phrase, clause, or part shall continue to be effective for any person or group for which no violation has been found.

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