

TESTIMONY OF JODEE BUHR
BEFORE ADMINISTRATIVE RULES COMMITTEE
JUNE 11, 2008

Good afternoon Chairman Fischer and members of the Administrative Rules Committee. My name is Jodee Buhr, Executive Director of the North Dakota Public Employees Association, AFT Local #4660. My comments to you today are brief; however, on behalf of all public employees, it is extremely important that they be considered. SB 2321 was introduced and passed this session for the purpose of allowing counties the option of opting out of the state merit system of personnel administration **in accordance with the federal standards**. Based on our discussion throughout this past Legislative Session with sponsors and supporters of SB 2321, it is imperative that you understand that it was never the intent to take away protections of state workers. On the contrary, those who supported the passage of this bill did so based on the belief that the same protections that these county employees have today would remain in place even if a county opted out.

If a county is in a situation where their employees' salaries are "frozen" at the top of their salary range, then this bill allows them to opt out of the state merit system in order to provide the salary increases necessary to these employees. If a county opts out, they are still required to follow the required federal standards – to protect their funding and as importantly, to protect the rights of their employees. Opting out does not allow counties

to change the status of their employees from a protected “for cause” status to an “at will” status. It is perplexing that the counties who supported this bill under the premise that it would allow them to pay their employees at a salary they believed was necessary to compete with the market, would now want to try and use this opt out provision to take away the protections of their employees!

The most important point to consider is that the passing of SB2321 was never intended to take away the protections of state workers and NDPEA would adamantly oppose such a decision.

Thank you. I would be happy to answer any questions you may have.