



SB 475: Expanding PERS benefits for dispatchers

Testimony for Senate Committee on Labor and Business – Brenda Gilmer – 3.17.2021

Tax Fairness Oregon has observed, studied, and presented testimony related to PERS for five years, most recently during the 2019 Regular Session when SB187, which provided that judicial marshal qualify as police officer under PERS, was considered. We repeat:

Although we have learned a great deal, fully understanding PERS often feels like wading through mud! We have a few lessons to offer that we hope will guide your thinking.

Lesson #1 Oregon's public pension plan is one of the most complex structures in the nation. It also has some of the most generous benefits, particularly for Tiers I and II.

Lesson #2 Complexity can lead to legislative decisions that seem prudent, but in the end, only lead to more complex problems.

Lesson #3 PERS currently has complicated and costly issues to solve; a sizable portion of the costs are direct results of past legislative decisions that seemed prudent at the time.

We strongly urged you follow the recommendations of the PERS senior policy director. Until the legislature has solved the current funding status of PERS, it is not prudent to be adding members to the highest cost classification. That advice is more cogent here.

It appears police forces around the country are now working for two purposes: (1) to expand police union membership and (2) to change terminology so one leg of the 2018 reasons OMB gave for not changing the classifications for police and fire dispatchers will be diluted. See the attached 2018 OMB DECISION DENYING RECLASSIFICATION ([US Bureau of Labor Statistics Responses to Comments on the SOC Revision for 2018 – July 22, 2016 Federal Register notice](#)).

Senate Bill 475 truncates "Public Safety Telecommunicators," which is the most applicable and well defined term and instead uses the generic ambiguous "Telecommunicators," as the "group" then adds the twist of declaring them not "police officers" which is what they want, but rather "first responders."

It is not sensible to override the logical structure that denied the change. Appended to this testimony is an attachment the shows the OMB reasoning for turning down their SOC reclassification. "First responder" has no substantive meaning as it is used in SR475 and the bill should move no place without adding crystal clear definitions and analysis.

Money spent paying higher new unfunded pension obligations (when the other strings are pulled bringing it all into alignment) to show (disproportionately white) police and firefighters "respect" could be spent rebuilding public water and sewer systems in the (disproportionately nonwhite) low income communities that were gutted in last summer's wildfire efforts.

On a personal note, before COVID I attended a program sponsored by the Siuslaw Watershed District at the Siuslaw Valley Fire Department about wildfires. A Siuslaw Valley Fire Department employee explained that in an emergency, with limited resources the property of “people who took care of their property” would be given preference, would be protected. I asked about areas in town where the owners are too elderly or physically weak to repair or are too poor to pay the cost of repair to this unstated standard of “taking care of their property.” It apparently was just not considered when addressing a serious issue. That is not public safety. It is a telling example of the structural racism and economic imbalance that permeate Oregon laws and practices. Everybody is not protected. Serious attention should be given to the power and economic structures being advanced by using an intentional ambiguity in reference to retirement legislation.

2018 OMB DECISION DENYING RECLASSIFICATION

The Standard Occupational Classification (SOC), coordinated by the Office of Management and Budget (OMB) is one of the classification systems established by the federal government to ensure the integrity of federal statistical collection and analysis. In its current version, dispatchers are identified as “Police, Fire, and Ambulance Dispatchers” and are classified as “Office and Administrative Support Occupations” under its four-level classification system major group, minor group, broad occupation, and detailed occupation:

Major Group:	43-0000 Office and Administrative Support Occupations
Minor Group:	43-5000 Material Recording, Scheduling, Dispatching, and Distributing Workers
Broad occupation:	43-5030 Dispatchers
Detailed occupation:	43-5031 Police, Fire, and Ambulance Dispatchers

The OMB initiated a revision in 2014 for the 2018 SOC. A committee of representatives of 9 federal agencies was convened to review public comments and make recommendations to OMB.

Multiple requests were made, most of which are addressed in Docket No. 2-0867.

Docket Number 2-0867 -- Police, Fire, and Ambulance Dispatchers (43-5031)

Summary of request: Multiple (4,466) dockets requested changes to 43-5031 Police, Fire, and Ambulance Dispatchers. Specifically, the requests were to (1) change the title of 43-5031 to Public Safety Telecommunicators, (2) move 43-5031 to major group 33-0000 Protective Service Occupations, (3) modify the definition to more accurately reflect the job duties and the evolution of the occupation, and (4) provide 911 Dispatchers with recognition, respect, and acknowledgment of their importance.

SOCPC recommendation: Add Public Safety Telecommunicator as an illustrative example for 43-5031 Police, Fire, and Ambulance Dispatchers. Modify definition of 43-5031.

SOCPC rationale:

(1) The job title "Public Safety Telecommunicator" was added as an illustrative example for 43-5031 based on input from the commenter and SOCPC research. However, **based on the research of the SOCPC, and another comment (docket 2-0892), the occupation title will not change.** The SOCPC workgroup searched for evidence that the title "Public Safety Telecommunicator" was in use. The workgroup canvassed employment recruiting sites that had vacancies for this occupation. Using several key word searches (such as public safety, telecommunicator, dispatcher, 911, emergency, ambulance, etc.) **the workgroup found that most jurisdictions**

refer to workers in the occupation as "Dispatchers" or some variant of dispatcher. The workgroup also researched position descriptions from multiple jurisdictions across the country including jurisdictions of different sizes.

The title "Dispatchers" was used in 93 percent of the job postings and position descriptions, while the word "public" was used in 15 percent, and the word "telecommunicator" (and its variants) was used in 4 percent. In addition, over 1,000 job titles in the occupation, as reported to the Occupational Employment Statistics and American Community Surveys, were reviewed. **Only 17 percent used a variation of telecommunicator, including 9 percent that used the title "Public Safety Telecommunicator."** Dispatcher was the most commonly reported title; 43 percent of the entries use this term in the job title. **Because the term Dispatcher is more common than Telecommunicator the occupation title will continue to use the term Dispatcher. Because of the request and the finding that the term Telecommunicator is sometimes used, the term "Public Safety Telecommunicator" will be added as an illustrative example.**

(2) **The occupation will not be moved to major group 33-0000 Protective Service Occupations based on classification principles 2 and 10 and coding guideline 2. The SOC is not organized by industry or by common purpose, but by type of work.** When work is performed by some, but not all workers to be classified in the occupation, that work is often included in a "May" statement to facilitate consistent classification. **The most frequently reported work performed by Police, Fire, and Ambulance Dispatchers is taking calls from the public and entering the information into a system. Most, but not all of the workers coordinate and provide information to law enforcement and emergency response personnel.** In some jurisdictions, these duties are performed by more experienced staff. **In rarer circumstances, position descriptions have more advanced duties.** These cases may indicate a different occupation, one that belongs in a different major group, or in a supervisory occupation, in accordance with coding guideline 2 which states that when workers meet the definition of more than one occupation, they should be included in the occupation with the higher skill.

The SOCP recognizes the intent of the call-taking and dispatching performed by Police, Fire, and Ambulance Dispatchers is to protect the public. However, the SOC is classified according to the work performed by those in this occupation. The work performed by workers classified in 43-5031 includes speaking with callers, listening, and collecting and entering information. **The job duties of workers in the major group 33-0000 Protective Service Occupations often require some physical component or direct physical contact; i.e., apprehending, guarding, inspecting, patrolling, extinguishing, etc. The primary tasks of taking calls and entering information into a system are more consistent with the work performed by other occupations in major group 43-0000 Office and Administrative Support Occupations than the work performed by occupations in major group 33-0000 Protective Service Occupations.** Dispatching is a task that is found in another detailed occupation in major group 43-0000. Research on the hundreds of position descriptions from jurisdictions across the country showed that many Police, Fire, and Ambulance Dispatchers (60%) also have clerical duties such as filing paperwork, maintaining lost and found items, filling out paperwork and logs, and ordering office supplies. Despite the additional duties, dispatchers should be classified in the dispatcher occupations because of coding guideline 2. Other BLS sources consulted include the Occupational Safety and Health (OSH) survey. **The most commonly reported injuries for Dispatchers are overexertion, including repetitive motion (40%), and slips, falls, and trips (39%). For Protective Service Workers (those currently classified in major group 33-0000), injuries are more likely to involve another person or violence.**

In addition, moving the Police, Fire, and Ambulance Dispatchers would hinder agencies that include this occupation in higher level aggregations from conducting time series comparisons and conflicts with classification principle 10.

(3) The definition was updated using some of the wording suggested by commenters. However, work activities such as analyzing call patterns, using advanced tools and media to transmit information, and utilizing information coming in from field surveillance were not included in the revised definition because these tasks may describe workers who are classified in different occupations.

(4) **The value of work performed as a justification for assignments made using the SOC is out of scope for this review. The SOC system is organized on work performed, and placement in the SOC is not based on and does not indicate importance or respect.** The comments received and SOCP research indicate that stress and responsibility are often associated with the job. However, the SOC is designed for statistical purposes only. Although there are entities that use the SOC for non-statistical purposes (e.g., for administrative, regulatory, or taxation functions), such considerations play no role in the design of the SOC system. Consequently, **the SOCP does not recommend OMB modify the classification to meet the requirements of any non-statistical program or purpose.**

Docket Number 2-0892 -- Police, Fire, and Ambulance Dispatchers (43-5031)

Summary of request: Docket 2-0892 requested that 43-5031 Police, Fire, and Ambulance Dispatchers retain its 2010 SOC title and placement in the structure.

SOCP recommendation: No change.

SOCP rationale: The SOCP accepted this recommendation.