

Charter School Taskforce RA Report – Oregon Education  
Association

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Substitute Taskforce RA Report – Oregon Education Association  
(OEA)(A sub-committee of the Charter School Taskforce)

Prepared for the Oregon Education Association (OEA)  
Representative Assembly

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Prepared by: Substitute/Charter School Taskforce

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# Substitute Taskforce RA Report – Oregon Education Association (OEA) (A sub-committee of the Charter School Taskforce)

## Charges

***“That a taskforce be formed to investigate and act upon opportunities to expand union representation for substitute educators statewide.”***

***Lawrence Abrams, Portland AT & Greg Burril, Portland AT***

## Executive Summary

Purpose of the Taskforce:

Examine the status and organizing potential of substitute teachers in Oregon.

Analyze legal and organizational implications and assess the risk of private-sector encroachment into public education staffing.

## Key Findings

Substitutes are public employees in Oregon and are entitled to PERS retirement benefits. This has been recently reinforced by court ruling in a suit brought by Oregon Substitute Teachers Association (OSTA) and supported by OEA (*Fery v. Public Employees Retirement Board, attached as Appendix*).

The private substitution staffing market is growing and seeking to expand into additional services, signaling a broader privatization risk.

Organizing substitutes aligns with protecting the public education mission, expanding OEA membership, and energizing our union’s organizing capacity.

## Limitations

A thorough dues-structure analysis was not completed within this scope.

## Conclusions

Organizing substitutes can deter private-sector encroachment and safeguard the promise of public education in Oregon.

Organizing substitutes supports membership growth and brings new energy to our union.

## **Recommendations**

Extend the Substitute Taskforce for an additional year to conduct a dues-structure analysis and to pursue deeper collaboration with the OSTA.

Develop a phased, cross-unit internal organizing plan focusing on known structures in Beaverton, Eugene, and Portland substitute bargaining units.

Develop an onboarding toolkit for new substitute units and a phased, statewide external organizing plan to bring substitute units into OEA, should the RA or OEA board decide to pursue organizing substitutes.

Develop a model framework for dues structures that new substitute units can use to organize and that OEA can rely on to appropriately staff.

Develop an MOU with OSTA to formalize collaboration and resource sharing.

Present a summary to the 2027 RA with a concrete plan and timelines.

## **1. Introduction**

The Substitute Taskforce (NBI) was established in 2025 as part of the OEA representative assembly to evaluate internal policy alignment, legal considerations, and potential for organizing substitutes.

The committee met several times to review internal policies, discuss the issues impacting substitute teachers in Oregon, the current organizing efforts of the Oregon Substitute Teachers Association (OSTA), bylaws/policy implications, and dues and other financial considerations for potential expansion. We also considered the public status of substitutes, PERS eligibility, and implications for organizing strategy.

## **2. How We Conducted Our Analysis and Reached Our Recommendations**

This committee relied on its experience producing a report for the 2025 representative assembly regarding the organizing of charter schools. In producing the report before you, we relied on several data sources, including:

- Legal/policy context: Oregon statutes, PECBA, PERS, court adjudications, and relevant guidance.
- External context: Oregon Substitute Teachers Association (OSTA) materials and related legislative updates.
- State workforce data: Bargaining unit sizes and potential membership pools.
- Stakeholders consulted: OEA leadership, OEA Finance, Advocacy/Affiliate Services, labor law counsel, OSTA leadership, and local bargaining unit representatives.

### **3. Background and Legal Considerations**

Substitutes are public employees in Oregon and are entitled to PERS retirement benefits when employed in public school settings. Despite insistence by some ESD's and private contractors like Edu Staff a recent Oregon court ruling held that substitutes are public employees and, as such, are entitled to PERS benefits. This is important because the erosion of pay and benefits, including the denial of retirement, is the chief strategy for these private companies in profiteering from public education in Oregon (and other states).

Continuing to allow the outsourcing of substitutes to private providers raises questions about retirement eligibility for long-term substitutes, and future legal interpretations may affect bargaining strategies and benefits advocacy.

The rise of private substitute staffing firms and expansion into other services could create a privatized model of staffing that undermines OEA's mission.

### **4. Oregon Substitute Teachers Association (OSTA)**

The OSTA is an association representing substitute teachers in Oregon. They are not currently "organized" in the PECBA sense of the word but have engaged in important advocacy on the part of substitute teachers in Oregon.

OSTA emphasizes professional development, cross-district medical insurance access, due process protections, and credential pathways for substitute roles. OSTA recognizes and advocated for substitutes as public employees and supports a centralized Office of Substitute Teachers within state agencies for coordination.

We believe a coordinated strategy with OSTA can leverage policy advocacy, local organizing, and cross-unit collaboration.

## 5. Available Substitute Workforce and Organizing Potential

- Current Bargaining-unit data from IMS as of March 2026:
  - Beaverton: 306 members; 1,092 potential members.
  - Portland: 493 members; 761 total in the unit.
  - Eugene: 214 members; 289 in the unit
- Potential Bargaining Units
  - Currently, no state agency or other representative group has accurate numbers for the number of active substitute teachers in Oregon
  - ODE data collection only registers a “teacher” being employed for the year if they work 20 contiguous days in a single post overlapping a period that includes December 1<sup>st</sup>.
  - TSPC does not track substitute data except by license type and other than substitutes on Restricted licenses; most of the potential member pool remains untracked.
  - Exact numbers of potential members will require large-scale data gathering efforts on a district-by-district basis.

Opportunities for substantial growth exist in each existing unit. A locally tailored organizing strategy can significantly raise density. In addition, there are significant pockets of substitutes in regional areas like Medford, Salem, Springfield, and Bend that are not currently represented by a union. If extended, the task force intends to further analyze these pockets and models that could bring in large numbers of new members under either a district or regional framework. To that end, the task force has created a comprehensive [statewide action tracker](#) and begun data collection work to fill in the data state agencies seem to lack.

## 6. Findings and Considerations

Consider adding a dedicated finance FTE to manage LM-2/LMRDA reporting and local treasury training.

### Field Program

Develop an LM-RDA compliance checklist for locals and provide suggestions for updating bylaws, if necessary. (Drafts of these documents have been created by the Charter Schools Task Force.)

Propose a phased program for organizing substitutes, including onboarding toolkits, training, and pilot onboarding with initial bargaining units.

Consider legislation that would grant jurisdiction to the ERB to govern labor relations between publicly funded charters and public-school substitute teachers, and the employer.

Explore close collaboration with OSTA, while maintaining a public-sector organizing stance.

## 7. Conclusions

Organizing substitutes is an essential strategy to counter private-sector encroachment, protect the public education mission, grow OEA membership, and energize the union. Extending this task force for an additional year will allow the committee to build relationships, further analyze strategy, and most importantly, determine if there is a dues model that can provide for the level of service necessary to organize and maintain these potential substitute units.

Additionally, we can continue to build on the work of the charter school taskforce.

## **8. Recommendation: Extend the Taskforce for a 12-month period**

### Purpose

- Complete data gathering on numbers of potential members.
- Complete a data-driven dues-structure analysis and financial modeling.
- Create a joint organizing framework with OSTA and a formal MOU.
- Develop onboarding tools for substitutes and pilot with initial locals.
- Prepare a RA briefing to inform decisions at the 2027 RA.
- Continue the work of the charter school taskforce

## **9. Next Steps**

Secure a formal extension of the Substitute Taskforce through 2026–2027.

Complete a dues-structure study with a detailed budget.

Develop and sign an MOU with OSTA for joint organizing work.

Create and pilot the onboarding toolkit for substitutes and non-public sector units.

Prepare a concise Taskforce summary for the 2027 RA.

### Appendices

- ST-Appendix A - 2026-02-20 – Signed Order Fery v. PERB
- ST-Appendix B - Bargaining Unit Data (BEA, EEA, PAT Subs)
- ST-Appendix C - OSTA Context – Key Issues and Legislative Priorities 202

## Charter School Taskforce RA Report – Oregon Education Association

The charter school task force did not meet independently of the substitute task force. The work of the charter school task force was carried over from last year, which included several staff-driven assignments. Those staff-driven assignments included:

- (1) Drafting a handbook welcoming new private sector units to the OEA and orienting them to our union.
- (2) Guides for private sector unions and staff about how to conduct elections.
- (3) Training for staff and member leaders that distinguishes the difference between the operation of labor law under Oregon's Public Employees Collective Bargaining Act (PECBA) and the National Labor Relations Act (NLRA).
- (4) Suggested by law updates
- (5) Checklist formats for NLRA compliance

Each of these documents is in draft form and ready for legal review. Once these documents meet legal review, they will be handed over to our communications department for help with branding and organization. Once we have a first final draft the committee will review and submit documents to the OEA board. We hope to submit these the board before the close of the 2025-2026 school year.

The Charter School Taskforce hopes to continue to operate in conjunction with the Substitute task force.