

## HOUSE AMENDMENTS TO HOUSE BILL 3357

By COMMITTEE ON BUSINESS AND LABOR

May 8

1 On page 1 of the printed bill, line 2, after the second semicolon delete the rest of the line and  
2 line 3 and insert “amending ORS 659A.052; and declaring an emergency.”.

3 Delete lines 5 through 30 and delete pages 2 through 7 and insert:

4 “**SECTION 1.** ORS 659A.052 is amended to read:

5 “659A.052. (1) For the purpose of administration of ORS 659A.043 and 659A.046:

6 “(a) An injured worker employed at the time of injury by any agency in the legislative depart-  
7 ment of the government of this state shall have the right to reinstatement or reemployment at any  
8 available and suitable position in any agency in the legislative department.

9 “(b) An injured worker employed at the time of injury by any agency in the judicial department  
10 of the government of this state shall have the right to reinstatement or reemployment at any avail-  
11 able and suitable position in any agency in the judicial department.

12 “(c) An injured worker employed at the time of injury by any agency of the executive or ad-  
13 ministrative department of the government of this state shall have the right to reinstatement or  
14 reemployment at any available and suitable position in any agency of the executive or administra-  
15 tive department.

16 “(2) Notwithstanding ORS 659A.043 and 659A.046, an injured worker referred to in subsection  
17 (1) of this section has preference for entry level and light duty assignments with agencies described  
18 in subsection (1) of this section. In accordance with the provisions of ORS chapter 183, any agency  
19 referred to in subsection (1) of this section [*may adopt rules to define*] **by rule shall adopt a process**  
20 **to identify** entry level and light duty assignments. However, the rulemaking power for all agencies  
21 referred to in subsection (1)(c) of this section shall be exercised by the Administrator of the Per-  
22 sonnel Division.

23 “(3) In accordance with any applicable provision of ORS chapter 240, the Administrator of the  
24 Personnel Division [*may*] **shall** compel compliance with this section and ORS 659A.043 and 659A.046  
25 by any agency referred to in subsection (1)(c) of this section.

26 “**SECTION 2. (1) There is created the Task Force on Injured Workers, consisting of seven**  
27 **members appointed as follows:**

28 “(a) **The Director of the Oregon Department of Administrative Services shall appoint one**  
29 **member.**

30 “(b) **The board of directors of the State Accident Insurance Fund Corporation shall ap-**  
31 **point one member.**

32 “(c) **Each of the two largest labor organizations representing state employees shall ap-**  
33 **point one member.**

34 “(d) **The Governor shall appoint two members who are or were injured workers and who**  
35 **were eligible for collective bargaining at the time of the injury.**

1       “(e) The Governor shall appoint one member of the Workers’ Compensation  
2 Management-Labor Advisory Committee.

3       “(2) The task force shall review the policies of the state, including policies of the Oregon  
4 Department of Administrative Services, relating to an injured worker’s return to work by  
5 reinstatement or reemployment. The task force shall study alternative approaches to re-  
6 turning injured workers to employment, and shall make recommendations for any legislative  
7 changes the task force finds necessary.

8       “(3) A majority of the members of the task force constitutes a quorum for the trans-  
9 action of business.

10       “(4) Official action by the task force requires the approval of a majority of the members  
11 of the task force.

12       “(5) The task force shall elect one of its members to serve as chairperson.

13       “(6) If there is a vacancy for any cause, the appointing authority shall make an appoint-  
14 ment to become immediately effective.

15       “(7) The task force shall meet at times and places specified by the call of the chairperson  
16 or of a majority of the members of the task force.

17       “(8) The task force may adopt rules necessary for the operation of the task force.

18       “(9) The task force shall make a report to the appropriate interim committee that re-  
19 flects the results of the committee’s review and any proposed legislative changes.

20       “(10) All agencies of state government, as defined in ORS 174.111, are directed to assist  
21 the task force in the performance of its duties and, to the extent permitted by laws relating  
22 to confidentiality, to furnish such information and advice as the members of the task force  
23 consider necessary to perform their duties.

24       “SECTION 3. Section 2 of this 2007 Act is repealed on the date of the convening of the  
25 next regular biennial legislative session.

26       “SECTION 4. This 2007 Act being necessary for the immediate preservation of the public  
27 peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect  
28 on its passage.”.

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