

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass with Amendments to the A-Eng. Measure (Printed B-Eng.)

Vote: 4 - 0 - 1

Yeas: Monnes Anderson, Prozanski, Telfer, Rosenbaum

Nays: 0

Exc.: George

Prepared By: Jeremy Sarant, Administrator

Meeting Dates: 5/04, 5/18

WHAT THE MEASURE DOES: Requires Oregon Department of Administrative Services to adopt process to identify entry level and light duty assignments for injured state workers employed by executive or administrative departments of state. Establishes emergency, effective July 1, 2009.

ISSUES DISCUSSED:

- Whether current language in bill would require DAS to identify light duty for injured judicial and legislative state workers

EFFECT OF COMMITTEE AMENDMENT: Clarifies that bill applies only to executive and administrative departments of state.

BACKGROUND: Under Oregon's workers' compensation system, an injured worker must be reinstated to the worker's former position if 1) the position still exists; 2) the attending physician approves the worker to return to work; and 3) the worker can fully carry out the responsibilities of the position without further injury. The right to reinstatement may terminate if, for example, the worker is eligible and participating in vocational assistance, or refuses a bona fide offer from the employer of light duty or modified employment that is suitable, prior to becoming medically stationary. (ORS 659A.043.) Statutes that generally apply to injured worker reinstatement and reemployment also apply to state employees. While the state has established policies that allow an injured worker to return to a light duty assignment while recuperating or if reemployed in another suitable job while unable to return to the former position, these policies have not been formally established by administrative rule.