

A-Engrossed
Senate Bill 971

Ordered by the Senate May 4
Including Senate Amendments dated May 4

Sponsored by Senator VERGER; Senators MORRISETTE, PROZANSKI, TELFER, WALKER, WHITSETT

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

[Requires employees who voluntarily leave employment with certain governmental agencies to reimburse certain training costs. Instructs employing agency and Department of Public Safety Standards and Training to adopt schedule for reimbursement of training costs. Allows employing agency to provide hardship exemptions to mandatory reimbursement.]

Requires government agency that hires employee who voluntarily leaves employment of another government agency to reimburse other agency for certain costs incurred by training employee. Specifies pro rata reimbursement schedule by which government agency reimburses cost of training employee. Allows government agency that originally employed employee to waive reimbursement.

A BILL FOR AN ACT

Relating to training costs of employees of governmental agencies.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) As used in this section:

(a) "Parole and probation officer" has the meaning given that term in ORS 181.610.

(b) "Police officer" has the meaning given that term in ORS 181.610.

(c) "Training costs" means training expenses paid for by an employing governmental agency that include, but are not limited to, the cost of salary and benefits paid to an employee during training and the cost of initial training courses required for employment.

(2) Subject to an employment agreement between an employing governmental agency and an employee or to an applicable collective bargaining agreement, when an employee of a governmental agency who is employed in a position that requires training voluntarily leaves employment with that original employing governmental agency and is subsequently employed by a different governmental agency in a position that requires the same training as required for the position with the original employing governmental agency, the subsequent employing governmental agency shall reimburse the original employing governmental agency for training costs incurred by the original employing governmental agency in accordance with the reimbursement schedule adopted under subsection (3) of this section.

(3) If an employing governmental agency requires employees to be trained, the agency shall adopt by rule a pro rata reimbursement schedule for the reimbursement of training costs by a subsequent employing governmental agency to the original employing agency as follows:

(a) If the training costs are for training provided to an employee who is employed as a state police officer, a police officer or a deputy sheriff, the required reimbursement shall be:

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (A) 100 percent of training costs if the employee is employed by the subsequent employing
2 governmental agency within 12 months from the date the employee completes training re-
3 quired by the original employing governmental agency.

4 (B) 66 percent of training costs if the employee is employed by the subsequent employing
5 governmental agency more than 12 months but less than 24 months from the date the em-
6 ployee completes training required by the original employing governmental agency.

7 (C) 33 percent of training costs if the employee is employed by the subsequent employing
8 governmental agency more than 24 months but less than 36 months from the date the em-
9 ployee completes training required by the original employing governmental agency.

10 (D) Waived if the employee is employed by the subsequent employing governmental
11 agency more than 36 months from the date the employee completes training required by the
12 original employing governmental agency.

13 (b) If the training costs are for training provided to an employee who is employed as a
14 state or local corrections officer or as a parole and probation officer, the required re-
15 imbursement shall be:

16 (A) 100 percent of training costs if the employee is employed by the subsequent employing
17 governmental agency within 10 months from the date the employee completes training re-
18 quired by the original employing governmental agency.

19 (B) 66 percent of training costs if the employee is employed by the subsequent employing
20 governmental agency more than 10 months but less than 20 months from the date the em-
21 ployee completes training required by the original employing governmental agency.

22 (C) 33 percent of training costs if the employee is employed by the subsequent employing
23 governmental agency more than 20 months but less than 30 months from the date the em-
24 ployee completes training required by the original employing governmental agency.

25 (D) Waived if the employee is employed by the subsequent employing governmental
26 agency more than 30 months from the date the employee completes training required by the
27 original employing governmental agency.

28 (4) Notwithstanding subsection (2) of this section, an original employing governmental
29 agency may waive the reimbursement of training costs for an employee who voluntarily
30 leaves employment with the original employing governmental agency and is subsequently
31 employed by another governmental agency.

32 (5) When making employment decisions, a governmental agency may not take into con-
33 sideration the possibility that the reimbursement of training costs specified in subsection (2)
34 of this section will be required if a particular applicant is employed.

35 (6) A governmental agency that requires employees to complete training shall develop
36 and implement policies that provide incentives to promote the retention of such employees.

37 **SECTION 2.** Section 1 of this 2009 Act applies to training costs for persons employed as
38 state police officers, police officers, deputy sheriffs, state or local corrections officers or
39 parole and probation officers who are required to complete training and who begin training
40 after January 1, 2010.