

B-Engrossed Senate Bill 971

Ordered by the House June 3
Including Senate Amendments dated May 4 and House Amendments dated
June 3

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 government agency that hires employee who voluntarily leaves employment of [*another government*] **original employing governmental** agency to reimburse [*other*] **original employing governmental** 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

1
2 Relating to training costs of employees of governmental agencies.

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

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

5 (a) **"Original employing governmental agency" means a governmental agency that first**
6 **employs an employee in a position that requires training.**

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

8 (c) **"Police officer" has the meaning given that term in ORS 181.610.**

9 (d) **"Training costs" means training expenses paid for by an employing governmental**
10 **agency that include the cost of salary and benefits paid to an employee during training, the**
11 **cost of salary and benefits paid to another employee to cover the workload of an employee**
12 **in training and the cost of initial training courses required for employment.**

13 (2) **Subject to an employment agreement between an original employing governmental**
14 **agency and an employee or to an applicable collective bargaining agreement, when an em-**
15 **ployee of a governmental agency who is employed in a position that requires training volun-**
16 **tarily leaves employment with that original employing governmental agency and is**
17 **subsequently employed by a different governmental agency in a position that requires the**
18 **same training as required for the position with the original employing governmental agency,**
19 **the subsequent employing governmental agency shall reimburse the original employing gov-**
20 **ernmental agency for training costs incurred by the original employing governmental agency**
21 **in accordance with the reimbursement schedule adopted under subsection (3) of this section.**

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

26 (a) **If the training costs are for training provided to an employee who is employed as a**

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 state police officer, a police officer or a deputy sheriff, the required reimbursement shall be:

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

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

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

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

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

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

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

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

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

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

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

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

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