

Senate Bill 971

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 **as introduced**.

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.

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. As used in sections 2 and 3 of this 2009 Act:**

5 (1) "Emergency medical dispatcher" has the meaning given that term in ORS 181.610.

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

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

8 (4) "Telecommunicator" has the meaning given that term in ORS 181.610.

9 (5) "Training costs" include, but are not limited to, the cost of salary, benefits and
10 equipment for an employee required to complete training by the Department of Public Safety
11 Standards and Training and the costs incurred by the department in providing the required
12 training.

13 **SECTION 2.** (1) Subject to the employment agreement between an employing govern-
14 mental agency and an employee or to an applicable collective bargaining agreement, an em-
15 ployee of a governmental agency who voluntarily leaves employment in a position that
16 requires training by the Department of Public Safety Standards and Training is responsible
17 for the reimbursement of training costs as provided in sections 2 and 3 of this 2009 Act.

18 (2) A governmental agency that requires training by the department of a person em-
19 ployed by the agency as a state police officer, a police officer, a deputy sheriff, a state or
20 local corrections officer, a parole and probation officer, a telecommunicator or an emergency
21 medical dispatcher shall adopt by rule a procedure that requires the employee to reimburse
22 the employing agency and the department for training costs incurred by the agency and the
23 department if the employee voluntarily leaves employment with the agency.

24 (3)(a) An employing governmental agency shall adopt by rule a pro rata reimbursement
25 schedule for the reimbursement of training costs by the employee to the employing agency
26 for the period between the date the employee commences employment with the employing
27 agency and the date established under subsection (4) of this section.

28 (b) The reimbursement schedule adopted by an employing governmental agency shall re-
29 quire reimbursement of 100 percent of training costs when the employee voluntarily termi-
30 nates employment within:

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) One year from the date of employment if the employee is a state police officer, a
 2 police officer or a deputy sheriff;

3 (B) Eight months from the date of employment if the employee is a parole and probation
 4 officer or a state or local corrections officer; or

5 (C) Four months of employment if the employee is a telecommunicator or emergency
 6 medical dispatcher.

7 (4) The reimbursement schedule adopted by an employing governmental agency must in-
 8 clude a provision establishing the period an employee must be employed by the agency after
 9 which the employee is no longer required to reimburse the agency for training costs upon
 10 voluntary termination of employment by the employee. The period shall be:

11 (a) Not less than three years or greater than four years if the employee is a state police
 12 officer, a police officer or a deputy sheriff.

13 (b) Not less than two years or greater than three years if the employee is a parole and
 14 probation officer or a state or local corrections officer.

15 (c) Not less than one year or greater than two years if the employee is a telecommu-
 16 nicator or emergency medical dispatcher.

17 (5)(a) Notwithstanding subsection (1) of this section, if an employee of a governmental
 18 agency who is employed in a position that requires training by the department voluntarily
 19 leaves employment with the agency and subsequently is employed by a different govern-
 20 mental agency in a position that requires the same training prior to the time the employee
 21 is no longer required to reimburse the first governmental agency for training costs, the
 22 employee is not responsible for the reimbursement of training costs, and the second gov-
 23 ernmental agency shall reimburse the first governmental agency for the training costs in-
 24 curred by the first governmental agency. Upon receipt of reimbursement from the second
 25 governmental agency, the first governmental agency shall refund to the employee any re-
 26 imbursements received by the agency from the employee.

27 (b) If an employee of a governmental agency who is employed in a in a position that re-
 28 quires training by the department voluntarily leaves employment with the agency and sub-
 29 sequently is employed by a different governmental agency in a position that does not require
 30 training by the department, in a position that requires training by the department that is
 31 different from the training the employee received while employed by the first governmental
 32 agency, in a position not requiring training or in a position not in this state, the employee
 33 shall reimburse the governmental agency for the training costs incurred in training the
 34 employee in accordance with the reimbursement schedule adopted under subsection (3) of
 35 this section and shall reimburse the department for costs incurred by the department for
 36 providing the required training in accordance with the reimbursement schedule adopted un-
 37 der section 3 of this 2009 Act.

38 (6) An employing governmental agency shall adopt by rule provisions for hardship ex-
 39 emptions from the requirements of subsection (1) of this section. Bases for hardship ex-
 40 emptions include, but are not limited to, serious injury or impairment of health that prevent
 41 the employee from continuing employment, and the death of the employee.

42 (7) A governmental agency that requires employees to complete training with the de-
 43 partment shall develop and implement policies that provide incentives to promote retention
 44 of such employees.

45 **SECTION 3.** (1) The Department of Public Safety Standards and Training shall adopt by

1 rule a pro rata reimbursement schedule for the reimbursement of training costs when a
2 person trained by the department voluntarily leaves employment with the employing gov-
3 ernmental agency.

4 (2) The department shall establish by rule:

5 (a) The cost to the department of training a person enrolled in a training program pro-
6 vided by the department; and

7 (b) The period that a person trained by the department must be employed by the gov-
8 ernmental agency that required training of the employee in a program provided by the de-
9 partment for the employee to no longer be required to reimburse the department for the
10 costs of providing the training if the employee voluntarily terminates employment with the
11 employing agency. This period shall be:

12 (A) Not less than three years or more than four years if the employee is a state police
13 officer, a police officer or a deputy sheriff.

14 (B) Not less than two years and not more than three years if the employee is a parole
15 and probation officer or a state or local corrections officer.

16 (C) Not less than one year and not more than two years if the employee is a telecom-
17 municator or emergency medical dispatcher.

18 **SECTION 4.** Sections 2 and 3 of this 2009 Act apply to employees required to complete
19 training by the Department of Public Safety Standards and Training who begin training after
20 January 1, 2010.

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