

B-Engrossed
House Bill 3309

Ordered by the House June 21
Including House Amendments dated April 12 and June 21

Sponsored by Representative CAMERON

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.

[Directs] **Authorizes** Department of Corrections to establish on-the-job training program for ex-offenders. Allows department or county to enter into agreements with public or private employers to provide training. Directs department to report to Seventy-seventh Legislative Assembly.

Sunsets January 2, 2014.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to prisoner reentry; and declaring an emergency.

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

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

5 (a) **“Employer” means a public or private employer.**

6 (b) **“Ex-offender” means an individual released from a Department of Corrections insti-**
7 **tution as defined in ORS 421.005 or under the supervision of a county community corrections**
8 **program.**

9 (2) **The Department of Corrections may establish an on-the-job training program for ex-**
10 **offenders as a pilot program.**

11 (3) **The intent of the on-the-job training program is to provide training opportunities for**
12 **ex-offenders who need training to secure employment and for employed ex-offenders who are**
13 **assessed as needing additional training to advance in their jobs or to prevent job loss.**

14 (4) **The department shall provide grants to and enter into agreements with counties that**
15 **will be responsible for carrying out on-the-job training for ex-offenders.**

16 (5) **The department or a county may enter into agreements with employers who agree**
17 **to provide on-the-job training to ex-offenders who are or will be engaged in productive work**
18 **with the employer in a job that:**

19 (a) **Provides knowledge or skills essential to the full and adequate performance of the job;**
20 **and**

21 (b) **Is limited in duration as appropriate to the occupation for which the ex-offender is**
22 **being trained, taking into account the content of the training and the prior work experience**
23 **of the ex-offender.**

24 (6)(a) **Each employer that enters into an agreement with a county or the department has**
25 **responsibility for hiring, compensating and training ex-offenders covered by agreements en-**
26 **tered into with a county or the department.**

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 (b) The department or a county shall reimburse an employer for the extraordinary costs
2 of providing the training and additional supervision related to the training:

3 (A) In an amount that is based on the wage rate of the ex-offender; or

4 (B) With a stipend payable in an amount and on a schedule determined at the discretion
5 of the department or county.

6 (c) A county may designate a nonprofit organization, staffing agency, community college
7 or other qualified entity to manage the on-the-job training for ex-offenders for the county.

8 (7) The department shall apply the following policies in implementing the on-the-job
9 training program:

10 (a) There must be an assessment of each ex-offender enrolled in the program to deter-
11 mine whether the ex-offender has the necessary work experience or occupational training to
12 meet a potential employer's minimum employment requirements or has special needs that
13 may be a barrier to obtaining or retaining employment.

14 (b) The on-the-job training must be reasonably expected to last at least six weeks and
15 provide at least 20 hours of work per week.

16 (8) Trainee retention for each employer shall be reviewed at least annually to determine
17 whether the employer's performance meets the requirements of 20 C.F.R. 663.700(b).

18 (9)(a) The department shall adopt rules necessary to implement and administer the on-
19 the-job training program.

20 (b) The rules shall be consistent with the applicable requirements of the federal
21 Workforce Investment Act.

22 (10) The department may seek funding through grants and other means to carry out the
23 on-the-job training program for ex-offenders established under this section.

24 (11) Not later than April 1, 2013, the department shall report to the Seventy-seventh
25 Legislative Assembly in the manner provided in ORS 192.245 on the performance results of
26 the on-the-job training program.

27 **SECTION 2.** (1) Section 1 of this 2011 Act becomes operative on the effective date of the
28 rule described in subsection (2)(b) of this section.

29 (2) The Department of Corrections:

30 (a) May adopt rules or take any other action before section 1 of this 2011 Act becomes
31 operative that is necessary to enable the department to exercise, on or after the date that
32 section 1 of this 2011 Act becomes operative, all the duties, functions and powers conferred
33 on the department by section 1 of this 2011 Act.

34 (b) Shall adopt a rule indicating that the department has received federal funding, a grant
35 or a legislative appropriation that is sufficient to enable the department to carry out the
36 provisions of section 1 of this 2011 Act.

37 (c) Shall notify Legislative Counsel when the rule described in paragraph (b) of this sub-
38 section is adopted.

39 **SECTION 3.** Section 1 of this 2011 Act is repealed on January 2, 2014.

40 **SECTION 4.** This 2011 Act being necessary for the immediate preservation of the public
41 peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect
42 on its passage.