

Enrolled
House Bill 3309

Sponsored by Representative CAMERON; Senators HASS, PROZANSKI

CHAPTER

AN ACT

Relating to prisoner reentry; and declaring an emergency.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) The Department of Corrections:

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

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

(c) Shall notify Legislative Counsel when the rule described in paragraph (b) of this subsection is adopted.

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

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

Passed by House June 22, 2011

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Ramona Kenady Line, Chief Clerk of House

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Bruce Hanna, Speaker of House

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Arnie Roblan, Speaker of House

Passed by Senate June 24, 2011

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Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2011

Approved:

.....M,....., 2011

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M,....., 2011

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Kate Brown, Secretary of State