

House Bill 2210

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor John A. Kitzhaber, M.D., for Oregon Department of Administrative Services)

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**.

Establishes category of professional service in state service. Requires Personnel Division to adopt salary plan for professional service employees and to adopt rules, policies and procedures necessary for professional service.

A BILL FOR AN ACT

1
2 Relating to professional service classification; creating new provisions; and amending ORS 240.195,
3 240.240 and 240.250.

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

5 **SECTION 1. Section 2 of this 2013 Act is added to and made a part of ORS chapter 240.**

6 **SECTION 2. (1) The professional service shall comprise all positions in state service re-**
7 **quiring advanced knowledge for the performance of the primary duties of the position.**

8 **(2) The Personnel Division shall identify the positions in state service that shall be placed**
9 **in the professional service.**

10 **SECTION 3. ORS 240.195 is amended to read:**

11 240.195. Positions in the service of the state are divided into the following categories:

12 (1) The classified service as provided in ORS 240.210.

13 (2) The unclassified service as provided in ORS 240.205.

14 (3) The exempt service as defined in ORS 240.200.

15 (4) The management service as provided in ORS 240.212.

16 **(5) The professional service as provided in section 2 of this 2013 Act.**

17 **SECTION 4. ORS 240.240 is amended to read:**

18 240.240. (1) The unclassified service or, except as provided in ORS 240.250, the management
19 service **and the professional service** shall not be subject to this chapter, except that employees
20 and officers in the unclassified [*or*], management **and professional** service shall be subject to the
21 laws, rules and policies pertaining to any type of leave with pay except as otherwise provided in
22 subsections (4) and (5) of this section, and shall be subject to the laws, rules and policies pertaining
23 to salary plans except as otherwise provided in subsections (3) and (5) of this section.

24 (2) With regard to any unclassified [*or*], management **or professional** service position for which
25 the salary is not fixed by law, and except as otherwise provided in subsections (3) and (5) of this
26 section, the Personnel Division shall adopt a salary plan [*which*] **that** is equitably applied to various
27 categories in the unclassified [*or*], management **and professional** service and is in reasonable con-
28 formity with the general salary structure of the state. The division shall maintain this unclassified
29 [*and*], management **and professional** salary plan in accordance with the procedures established for
30 the classified salary plan as provided in ORS 240.235.

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 (3) The Secretary of State and the State Treasurer, for the purpose of maintaining a salary plan
2 for unclassified [*and*], management **and professional** service positions in their departments, may
3 request the advice and assistance of the division.

4 (4) With regard to unclassified instructors and teachers under annual teaching contracts for an
5 academic year in the school operated under ORS 346.010, arrangements for leave with pay shall be
6 established by the Department of Education.

7 (5) With regard to unclassified positions in the Oregon Business Development Department's
8 foreign offices, the salary plan and arrangements for leave with pay shall be established by the Di-
9 rector of the Oregon Business Development Department.

10 **SECTION 5.** ORS 240.250 is amended to read:

11 240.250. The Personnel Division shall adopt rules, policies and procedures necessary for the
12 management service **and the professional service**. The rules may cover any wages, hours, terms
13 and conditions of employment addressed by this chapter, even if, absent the rule, those wages, hours,
14 terms and conditions would not otherwise apply to the management **or professional** service. The
15 rules shall further merit principles in the examination, selection and promotion of individuals for the
16 management service **and the professional service**.

17 **SECTION 6. Section 2 of this 2013 Act and the amendments to ORS 240.195, 240.240 and**
18 **240.250 by sections 3, 4 and 5 of this 2013 Act apply to collective bargaining agreements en-**
19 **tered into on or after the effective date of this 2013 Act.**

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