

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

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Action: Do Pass

Vote: 10 - 0 - 1

Yeas: Barton, Fagan, Freeman, Holvey, Kennemer, Matthews, Thatcher, Thompson, Witt, Doherty

Nays: 0

Exc.: Weidner

Prepared By: Jan Nordlund, Administrator

Meeting Dates: 2/19

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**WHAT THE MEASURE DOES:** Modifies reinstatement rights of state management service employees who have immediate prior former regular status in classified service.

**ISSUES DISCUSSED:**

- Enterprise Leadership Team’s review of management service issues
- Restoration rights became an issue when adjusting staffing ratios in response to House Bill 4131 (2011)
- Bumping into a position not held for a long time might not be appropriate
- Protection during trial service remains
- Balance work force development goals with administrators’ ability to adjust staffing

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** Under existing statute, a management service employee who came directly from a classified position can bump back into their former classified position unless they are being removed from management service for misconduct, inefficiencies, incompetence, insubordination, indolence, malfeasance, or other unfitness, and subject to an appeal process.

Senate Bill 1567-A modifies the bumping rights of management service employees who came directly from a classified position and who are not being dismissed for cause under ORS 240.555. The measure gives the employee the right to bump to their former classified position if released from management service during trial service. After trial service ends, a management service employee appointed after December 31, 2014, will have no restoration rights and an employee appointed prior to January 1, 2015, will have the right to bump back to the prior classified position for three years from their appointment date.