

**A-Engrossed**  
**Senate Bill 1567**

Ordered by the Senate February 13  
Including Senate Amendments dated February 13

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**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.

Modifies reinstatement rights of management service employees who have immediate prior former regular status in classified service. [*Establishes process for management service employees to appeal employment decisions to Director of Oregon Department of Administrative Services.*]

**A BILL FOR AN ACT**

Relating to management service employees; amending ORS 240.570 and 756.032.

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

**SECTION 1.** ORS 240.570 is amended to read:

240.570. (1) Positions in the unclassified, management and exempt services may be filled by classified employees. After an employee is terminated from the unclassified or exempt service or removed from the management service, for reasons other than those specified in ORS 240.555, the state agency that employed the employee before the appointment to the unclassified, exempt or management service may, at the agency's sole discretion, restore the employee to a position held in the agency before the appointment if the employee meets the position requirements. If an employee is restored to a former position, the employee is subject to any applicable agency collective bargaining agreement.

(2) An appointing authority may assign, reassign and transfer management service employees for the good of the service and may remove employees from the management service due to reorganization or lack of work.

(3) A management service employee is subject to a trial service period established pursuant to rules of the Personnel Division under ORS 240.250. Thereafter, the management service employee may be disciplined by reprimand, salary reduction, suspension or demotion or **may be removed or dismissed** from the management service if the employee is unable or unwilling to fully and faithfully perform the duties of the position satisfactorily.

(4) [*Employees*] **Management service employees** who are assigned, reassigned, transferred or removed, as provided in subsection (2) of this section, and employees who are disciplined, [*or*] removed **or dismissed** from the management service [*for the reasons specified*] **as authorized** in subsection (3) of this section may appeal to the Employment Relations Board in the manner provided by ORS 240.560.

(5)(a) Management service employees with immediate prior former regular status in the classi-

**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 fied service [*may be dismissed from state service only for reasons specified by ORS 240.555 and pur-*  
2 *suant to the appeal procedures provided by ORS 240.560.*] **who are removed from trial service**  
3 **pursuant to ORS 240.410 have a right to be restored to their former positions.**

4 **(b) Except as provided in paragraph (a) of this subsection, management service employ-**  
5 **ees with immediate prior former regular status in the classified service who are appointed**  
6 **to the management service and who have not been dismissed from the management service**  
7 **for a reason specified in ORS 240.555:**

8 **(A) Prior to January 1, 2015, have the right to restoration to the classified service for**  
9 **three years from the date of appointment to the management service.**

10 **(B) After December 31, 2014, have no right to restoration to the classified service.**

11 **SECTION 2.** ORS 756.032 is amended to read:

12 756.032. (1) The Public Utility Commission shall dismiss an employee:

13 (a) Who fails to file the statement required by ORS 756.028 before the 11th day after the date  
14 of employment.

15 (b) Who fails to file the supplementary statement required by ORS 756.028 before the 11th day  
16 after the acquisition of a pecuniary interest.

17 (c) Who fails to cause divestiture of a pecuniary interest within the time specified in an order  
18 issued pursuant to ORS 756.028.

19 (2) Dismissal of an employee under subsection (1) of this section is subject to the procedure and  
20 appeal provided in ORS 240.555, [*and*] 240.560 **and 240.570**. An employee so dismissed is eligible for  
21 reemployment.

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