

# A-Engrossed House Bill 2255

Ordered by the House June 2  
Including House Amendments dated June 2

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Consumer Protection and Government Efficiency)

## 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 law requiring state agencies to attain 11 to 1 ratio of non-supervisory employees to supervisory employees. Requires report to Legislative Assembly of actions taken by state agency to achieve required increases in ratio or explaining why agency has not achieved increase and describing plan to attain increase.]*

*[Directs state agencies not subject to ratio requirement because of size to report agency's ratio to Legislative Assembly.]*

*[Specifies that state agency increase in ratio that exceeds statutory requirement may be counted to satisfy future ratio increase requirements.]*

*[Specifies that ratio must be calculated to minimum of two decimal places.]*

**Suspends during 2015-2017 biennium application of requirement that state agencies attain 11 to 1 ratio of nonsupervisory employees to supervisory employees. Prohibits agency during biennium from reducing ratio of nonsupervisory employees to supervisory employees unless Director of Oregon Department of Administrative Services grants exception. Directs Oregon Department of Administrative Services to monitor state agency staffing ratios and publish quarterly reports.**

**Allows state agency to count increase during biennium in ratio of nonsupervisory employees to supervisory employees in subsequent years.**

**Directs department to convene work group to study and develop report on appropriate ratios of nonsupervisory employees to supervisory employees. Specifies membership and duties of work group.**

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to the ratio of state agency public employees to supervisory employees; and declaring an  
3 emergency.

4 Whereas in 2012 the Legislative Assembly set the required staffing ratio of state agency em-  
5 ployees who are not supervisory employees to supervisory employees at 11 to 1; and

6 Whereas the Legislative Assembly established a timeline and procedures for state agencies to  
7 attain the required 11-to-1 staffing ratio; and

8 Whereas a goal of the staffing ratio requirement was to establish a lean management structure  
9 for state agencies and ensure the efficient delivery of services provided by state agencies; and

10 Whereas the current law may impose staffing requirements that do not fit the mission of a state  
11 agency or a unit of a state agency; and

12 Whereas the current law provides exceptions to the staff ratio requirements that sometimes are  
13 not responsive to specific state agency and public safety needs; and

14 Whereas state agencies need logical and targeted staffing ratio requirements that are based on  
15 industry standards and accepted best practices and that are based on specific types of services  
16 provided, professional standards and employee and public safety requirements; now, therefore,

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

2 **SECTION 1. (1) During the biennium beginning July 1, 2015, the provisions of ORS 291.231**  
3 **do not apply to a state agency.**

4 **(2) Notwithstanding subsection (1) of this section, during the biennium beginning July 1,**  
5 **2015, a state agency may not reduce the agency's ratio of nonsupervisory employees to su-**  
6 **pervisory employees, as approved by the agency's legislatively approved budget, unless the**  
7 **Director of the Oregon Department of Administrative Services grants an exception pursuant**  
8 **to ORS 291.231 (4).**

9 **(3) The Oregon Department of Administrative Services shall monitor state agency staff-**  
10 **ing ratios during the biennium beginning July 1, 2015, and produce quarterly reports de-**  
11 **scribing any changes in the ratios. The reports shall include data on all employee types as**  
12 **the data is reasonably available. The department shall publish the reports on the**  
13 **department's webpage and shall notify labor organizations representing state employees**  
14 **when the reports are published.**

15 **(4) As used in this section:**

16 **(a) "State agency" has the meaning given that term in ORS 291.231.**

17 **(b) "Supervisory employee" has the meaning given that term in ORS 243.650.**

18 **SECTION 2. Notwithstanding section 1 of this 2015 Act, if a state agency increases the**  
19 **agency's ratio of nonsupervisory employees to supervisory employees during the biennium**  
20 **beginning July 1, 2015, the state agency may count the increase in subsequent years for**  
21 **purposes of complying with ORS 291.231 (2).**

22 **SECTION 3. (1) The Oregon Department of Administrative Services shall convene a work**  
23 **group to study and develop a report on appropriate ratios of state agency employees who are**  
24 **not supervisory employees to supervisory employees.**

25 **(2) Members of the work group shall be appointed by the Director of the Oregon De-**  
26 **partment of Administrative Services and shall include:**

27 **(a) Representatives from the Oregon Department of Administrative Services;**

28 **(b) Representatives from other state agencies in the executive department as defined in**  
29 **ORS 174.112, including but not limited to agency managers or supervisory employees, agency**  
30 **employees who are not supervisory employees and agency human resources employees;**

31 **(c) Representatives of the two largest labor organizations representing state agency em-**  
32 **ployees; and**

33 **(d) Representatives of private entities as the director determines is appropriate.**

34 **(3) The work group shall:**

35 **(a) Study public and private sector standards and best practices related to appropriate**  
36 **ratios of employees who are not supervisory employees to supervisory employees;**

37 **(b) Identify job families or services for consideration of best practices, including but not**  
38 **limited to public safety, administration and human service delivery;**

39 **(c) Consider practices in other states, geographic location issues, public and private in-**  
40 **dustry standards for specific professional requirements and any other issues related to a**  
41 **specific line of business or particular service or function;**

42 **(d) Consider the best approaches for providing exceptions to required staffing ratios; and**

43 **(e) Develop and submit a report to the Legislative Assembly, including proposals for es-**  
44 **tablishing rational, best practices for state agency staffing ratios based on the nature of job**  
45 **families or services provided by each state agency, and may submit recommendations for**

1 **legislation.**

2 (4) **The Oregon Department of Administrative Services shall convene the work group as**  
3 **soon as practicable after the effective date of this 2015 Act. The department shall provide**  
4 **facilities and administrative support for meetings of the work group.**

5 (5) **The work group shall submit the report, including any recommendations for legis-**  
6 **lation, to the Legislative Assembly in the manner provided in ORS 192.245 on or before the**  
7 **date of the convening of the 2017 regular session of the Legislative Assembly as specified in**  
8 **ORS 171.010.**

9 (6) **As used in this section:**

10 (a) **“Job families” means groups of occupations based upon work performed, skills, edu-**  
11 **cation, training and credentials.**

12 (b) **“State agency” has the meaning given that term in ORS 291.231.**

13 (c) **“Supervisory employee” has the meaning given that term in ORS 243.650.**

14 **SECTION 4. (1) Sections 1 and 3 of this 2015 Act are repealed on June 30, 2017.**

15 **(2) Section 2 of this 2015 Act is repealed January 2, 2020.**

16 **SECTION 5. This 2015 Act being necessary for the immediate preservation of the public**  
17 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**  
18 **on its passage.**

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