

# House Bill 3383

Sponsored by Representative EVANS

## 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**.

Grants Governor authority to declare economic emergency. Authorizes state agencies to re-classify management service employees to at-will employment status and to adjust staffing levels of management service employees.

Requires state agency that reclassified management service employees to at-will employment status to review personnel adjustments made during economic emergency to determine value of those adjustments and to report findings to Governor and Legislative Assembly.

## A BILL FOR AN ACT

1  
2 Relating to adjustment of classification of management service employees during economic emer-  
3 gency.

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

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

6 (a) **"At-will employment status" means employment in a position that serves at the**  
7 **pleasure of the appointing authority and that may be terminated at any time without cause.**

8 (b) **"Economic emergency" means the period following the issuance of a state revenue**  
9 **forecast by the Oregon Department of Administrative Services that projects a deficit in the**  
10 **state budget of at least \$100 million.**

11 (2) **The Governor may exercise the authority granted under ORS 401.165 to declare an**  
12 **economic emergency. If an economic emergency has been declared, the Governor may au-**  
13 **thorize state agencies to adjust staffing levels among management service employees by re-**  
14 **classifying management service employees to at-will employment status for the duration of**  
15 **the economic emergency.**

16 (3) **Notwithstanding ORS 240.570, if the Governor declares an economic emergency and**  
17 **authorizes reclassification of management service employees under subsection (2) of this**  
18 **section, a state agency may reclassify a management service employee to at-will employment**  
19 **status and may adjust staffing levels among management service employees.**

20 (4) **Management service employees reclassified to at-will employment status as author-**  
21 **ized in this section may not exercise any right to replace another employee on any basis,**  
22 **including seniority.**

23 (5)(a) **Not more than six months after the economic emergency declared by the Governor**  
24 **has been declared over, each state agency that reclassified management service employees**  
25 **to at-will employment status shall review the personnel adjustments made as a result of the**  
26 **declaration of economic emergency. The review shall evaluate the value of the functions of**  
27 **adjusted positions without regard to the specific personnel that have been reclassified,**  
28 **transferred or terminated during the period of economic emergency.**

29 (b) **After conducting the review required by this subsection, the state agency shall submit**

**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 a report to the Governor and to the Legislative Assembly in the manner specified in ORS  
2 192.245.  
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