

A-Engrossed
Senate Bill 291

Ordered by the Senate April 3
Including Senate Amendments dated April 3

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (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.

Modifies circumstances under which injured state worker has right to reinstatement or reemployment with employer at injury.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to employment of injured workers; amending ORS 659A.052; and declaring an emergency.

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

SECTION 1. ORS 659A.052 is amended to read:

659A.052. (1) *[For the purpose of administration of ORS 659A.043 and 659A.046:]* **In addition to the rights provided to injured workers under ORS 659A.043 and 659A.046, if all permanent restrictions of an injured worker are known and:**

(a) *[An]* **The** injured worker **was** employed at the time of injury by any agency in the legislative department of the government of this state, **the injured worker** shall have the right to reinstatement or reemployment at any available and suitable position in *[any]* **another** agency in the legislative department.

(b) *[An]* **The** injured worker **was** employed at the time of injury by any agency in the judicial department of the government of this state, **the injured worker** shall have the right to reinstatement or reemployment at any available and suitable position in *[any]* **another** agency in the judicial department.

(c) *[An]* **The** injured worker **was** employed at the time of injury by any agency of the executive or administrative department of the government of this state, **the injured worker** shall have the right to reinstatement or reemployment at any available and suitable position in *[any]* **another** agency of the executive or administrative department.

(2) Notwithstanding ORS 659A.043 and 659A.046, an injured worker referred to in subsection (1) of this section has preference for entry level and light duty assignments with agencies described in subsection (1) of this section. The legislative and judicial departments of the government of this state may adopt rules to define entry level and light duty assignments. The Administrator of the Personnel Division by rule shall adopt a process to identify entry level and light duty assignments within the executive or administrative department of the government of this state.

(3) In accordance with any applicable provision of ORS chapter 240, the Administrator of the

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 Personnel Division shall compel compliance with this section and ORS 659A.043 and 659A.046 by
2 any agency of the executive or administrative department of the government of this state.

3 **SECTION 2. This 2015 Act being necessary for the immediate preservation of the public**
4 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**
5 **on its passage.**

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