

Senate Bill 291

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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 **as introduced**.

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

1
2 Relating to employment of injured workers; amending ORS 659A.052; and declaring an emergency.

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

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

5 659A.052. (1) For the purpose of administration of ORS 659A.043 and 659A.046, **if an injured**
6 **worker has been determined to be medically stationary and:**

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

11 (b) [*An*] **The** injured worker **was** employed at the time of injury by any agency in the judicial
12 department of the government of this state, **the injured worker** shall have the right to rein-
13 statement or reemployment at any available and suitable position in any agency in the judicial de-
14 partment.

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

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

25 (3) In accordance with any applicable provision of ORS chapter 240, the Administrator of the
26 Personnel Division shall compel compliance with this section and ORS 659A.043 and 659A.046 by
27 any agency of the executive or administrative department of the government of this state.

28 (4) **As used in this section, "medically stationary" has the meaning given that term in**
29 **ORS 656.005.**

30 **SECTION 2. This 2015 Act being necessary for the immediate preservation of the public**

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 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**
2 **on its passage.**

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