

STAFF MEASURE SUMMARY**House Committee On Business and Labor****Fiscal:** Fiscal impact issued**Revenue:** No Revenue Impact**Action Date:** 02/10/16**Action:** Do Pass With Amendments And Be Referred To Ways And Means By Prior Reference. (Printed A-Eng.)**Meeting Dates:** 02/01, 02/10**Vote:**

Yeas: 6 - Barton, Doherty, Evans, Fagan, Holvey, Nosse

Nays: 4 - Barreto, Esquivel, Heard, Kennemer

Exc: 1 - Weidner

Prepared By: Jan Nordlund, Committee Administrator**WHAT THE MEASURE DOES:**

Classifies as “police officer” under Public Employees Retirement System (PERS) all employees of the Oregon State Hospital. Phases in reclassifications in three stages. Applies police and fire benefits to service performed on or after the operative date. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Classifying certain employees of Department of Human Services as police officers in 2015 (HB 2618)
- Working conditions at Oregon State Hospital
- Treatment rights of mentally ill
- Proposed schedule of reclassifying employees for PERS purposes
- Need to address underlying safety issues

EFFECT OF COMMITTEE AMENDMENT:

Adds registered nurses to first stage of phase in. Adds physicians to second stage of phase in.

BACKGROUND:

There are two types of classifications for all primary Public Employees Retirement System (PERS) plans: General Service, and Police and Fire (P&F). Examples of qualified P&F positions include certain Department of Corrections employees, Oregon State Police officers, local government police officers, parole and probation officers, the state and deputy state fire marshal, and persons employed by cities, counties, or districts whose duties involve firefighting. All other qualifying positions are classified as General Service. Employees classified as P&F under PERS statutes can retire at an earlier age and have a higher benefit factor used in calculating their retirement benefits.

House Bill 4011-A reclassifies as “police officers” under PERS statutes the employees of the Oregon State Hospital over a four year period. The P&F benefits apply only for service performed by the employee on or after the operative date of their reclassification as a police officer. In the first phase, the P&F benefits will apply to those prohibited from striking under ORS 243.726 or employed as registered nurses or licensed practical nurses. The second phase adds physicians licensed under ORS chapter 677 or employees who are required to be in areas populated by patients to perform the primary functions of their job. The final phase adds in all employees of the hospital.