



OREGON STATE FIRE FIGHTERS COUNCIL

International Association of Fire Fighters
AFL-CIO CLC

March 20, 2017

The Honorable Kathleen Taylor
Chair, Senate Workforce Committee
900 Court Street NE
Salem, Oregon 97310

Chair Taylor & Committee Members:

It is my distinct privilege and honor on behalf of the Oregon State Fire Fighters Council and the over 3,100 fire fighters and paramedics who serve and protect our communities throughout the state of Oregon, to support SB 712 and the -3 amendments. In 2003 major reforms were passed relating to PERS along with the establishment of the Oregon Public Service Retirement Plan known as OPSRP. This major undertaking took place in roughly a four month period of time. Having experienced this first hand the short time period initiated in establishing major reforms and the development of a new pension program for employees hired after August 29, 2003, created several unintended consequences. SB 712 and the -3 amendments will correct one of these unintended consequences and is an issue of fairness.

The -3 amendments are narrow in focus and simply ensure that fire fighters, police officers, and other public sector workers are treated fairly when it comes to an approved duty related injury for purposes of service credit time. Under the current law, OPSRP members are prohibited from receiving service credit time towards their pension in the event they have an approved injury or disease that is deemed to be sustained while in actual performance of their duty with a participating public employer. The -3 amendments include the following provisions:

- Section 1 5(b) allows for Chapter 238A (OPSRP member) to receive service credit time for an approved injury or disease that is deemed to be in the course of their duty but is not intentionally inflicted and if the member returns to employment with an OPSRP participating public employer after the period of disability.
- Section 1 (19)(a)(b) Clarifies that this legislation applies to those jurisdictions like the City of Portland who provide similar workers' compensation benefits.
- Section 3 provides clarity to allow that members who are currently on an approved duty related injury or illness would receive service credit as it relates to OPSRP.
- Section 4 provides for an emergency clause for the bill.

This bill is very narrow in the amount of workers who would receive this service credit thereby limiting fiscal exposure. The reason for this is that most work related injuries are short in duration and many jobs can make accommodations for the injured worker to continue to perform work and thereby maintaining normal service credit time. However in those instances where there is a significant injury such as the injuries suffered by Lt. Peter St. John of the Portland Fire Bureau and Oregon State Senior Trooper Nic Cederberg in the line of duty, where the injuries are so severe that even a modified duty schedule is not possible, they should not be penalized by being prohibited by law from receiving service credit time during their recovery time. As some of you may recall, during the Northwest Portland gas explosion where according to the Portland Fire Chief, Lt. St. John was responsible for saving countless lives by his quick actions, but in doing so was severely injured in the line of duty. Or the injuries suffered by Trooper Nic Cederberg who was shot several times in the process of locating and helping to

prevent a murder suspect from perhaps killing even more innocent individuals who may have crossed the paths of this suspect. While these two heroes epitomize the very best that fire fighters and police officers have to offer, they have one fault. That fault being the fact that because OPSRP was created to save cost and hastily passed for political expediency rather than design and development of an entirely new pension plan, they are unfairly prohibited from receiving service credit time even when they sacrificed everything to save so many. The passage of SB 712 and the -3 amendments will right a wrong and honor our OPSRP members, it will honor people like Trooper Cederberg and Lt. St. John.

It has been 14 years since this unfair and unintended consequence of the 2003 reforms was enacted. Please pass SB 712 with the -3 amendments and show these two heroes and many others who every day serve our communities and this great state with honor, distinction, integrity and for people like the fire fighters and police officers who are in attendance here today that are willing to sacrifice their own life each and every day they put on their uniform and report for duty.

Sincerely,



Bob Livingston
President, OSFFC

cc: Senate President Courtney, Speaker Kotek, Rep. Doherty