

House Bill 2927

Sponsored by Representative NEARMAN; Representatives BARRETO, LEIF, RESCHKE, WILSON

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**.

Provides that employee of public employer is liable to employer for wages paid to employee during period of administrative leave if employee was placed on leave as result of allegation that employee engaged in criminal conduct and if employee is thereafter convicted of crime by reason of conduct.

A BILL FOR AN ACT

1
2 Relating to public employees placed on administrative leave.

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

4 **SECTION 1. (1) As used in this section, "creditable service," "employee" and "public**
5 **employer" have the meanings given those terms in ORS 238.005.**

6 **(2) An employee of a public employer is liable to the employer for wages paid to the em-**
7 **ployee during a period of administrative leave if:**

8 **(a) The employee was placed on administrative leave as a result of an allegation that the**
9 **employee engaged in criminal conduct; and**

10 **(b) The employee is convicted of a crime by reason of the conduct.**

11 **(3) Subject to ORS 652.610, a public employer may recover wages that were paid to the**
12 **employee:**

13 **(a) After the date the employee was placed on administrative leave; and**

14 **(b) Before the later of:**

15 **(A) The date of the conviction; or**

16 **(B) The date on which the employee is terminated.**

17 **(4) If an employee is liable to a public employer for wages under this section, the Public**
18 **Employees Retirement Board:**

19 **(a) Shall credit all employer and employee contributions that are attributable to the**
20 **wages, and that were made by the employer for or on behalf of the employee, to other li-**
21 **abilities of the employer; and**

22 **(b) May not treat the period for which the contributions were made as creditable service**
23 **under ORS chapter 238 or 238A.**

24 **SECTION 2. (1) Except as provided in subsection (2) of this section, section 1 of this 2019**
25 **Act applies to all employees placed on administrative leave on or after the effective date of**
26 **this 2019 Act.**

27 **(2) Section 1 of this 2019 Act does not apply to an employee who is subject to a collective**
28 **bargaining agreement entered into before the effective date of this 2019 Act.**

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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.