

Requested by Senator GELSER

**PROPOSED AMENDMENTS TO  
SENATE BILL 494**

1 On page 1 of the printed bill, line 3, after “279.845” insert “, 279.853”.

2 On page 2, delete lines 23 through 26 and insert:

3 “(c) That in the manufacture of products and in the provision of services,  
4 whether or not the products or services are procured under ORS 279.835 to  
5 279.855, employs individuals with disabilities for not less than:

6 “(A) 75 percent of the work hours of direct labor required for the manu-  
7 facture or provision of the products or services during a fiscal year that be-  
8 gins on or before June 30, 2019.

9 “(B) 65 percent of the work hours of direct labor required for the manu-  
10 facture or provision of the products or services during a fiscal year that be-  
11 gins on or after July 1, 2019, and before June 30, 2021.

12 “(C) 60 percent of the work hours of direct labor required for the manu-  
13 facture or provision of the products or services, or the federal ratio, which-  
14 ever is lower, during a fiscal year that begins on or after July 1, 2021.”.

15 On page 3, after line 7 insert:

16 “**SECTION 7.** ORS 279.853 is amended to read:

17 “279.853. **(1)(a)** *[If a public agency terminates a contract for services with*  
18 *a qualified nonprofit agency for individuals with disabilities and the public*  
19 *agency enters into a new contract for services with a second qualified nonprofit*  
20 *agency for individuals with disabilities, the public agency shall provide in the*  
21 *new contract that the second qualified nonprofit agency for individuals with*

1 *disabilities must, during a period that ends 90 days after the date on which*  
2 *the public agency enters into the new contract, offer employment to the indi-*  
3 *viduals with disabilities who performed work under the terminated contract*  
4 *at wages and, for individuals with disabilities who work 28 hours or more per*  
5 *week, with health benefits that are as favorable to the individuals with disa-*  
6 *bilities as, or more favorable to the individuals with disabilities than, the*  
7 *wages and health benefits that the individuals with disabilities had under the*  
8 *terminated contract. The second qualified nonprofit agency for individuals*  
9 *with disabilities may require an individual with a disability whom the second*  
10 *qualified nonprofit agency for individuals hires under the circumstances de-*  
11 *scribed in this section to undergo the hiring procedures and demonstrate dur-*  
12 *ing a probationary period the qualifications that the second qualified nonprofit*  
13 *agency for individuals with disabilities establishes for new hires.]* **If a public**  
14 **agency or a qualified nonprofit agency for individuals with disabilities**  
15 **terminates a contract procured under ORS 279.850 for janitorial ser-**  
16 **vices, grounds maintenance services or security services and the pub-**  
17 **lic agency enters into a new contract for the same services, the public**  
18 **agency shall provide in the new contract that the successor service**  
19 **provider, during a period that ends 90 days after the date on which the**  
20 **public agency enters into the new contract, offer employment to the**  
21 **individuals with disabilities who worked 28 hours or more per week**  
22 **under the terminated contract at the time the contract terminated,**  
23 **at wages and with health benefits as favorable as, or more favorable**  
24 **than, the wages and health benefits the individuals with disabilities**  
25 **received under the terminated contract.**

26 **“(b) If the successor service provider under paragraph (a) of this**  
27 **subsection is not a qualified nonprofit agency for individuals with**  
28 **disabilities, the public agency shall provide in the new contract that**  
29 **the successor service provider, during a period that ends 90 days after**  
30 **the date on which the public agency enters into the new contract, offer**

1 **employment to all individuals who worked 28 hours or more per week**  
2 **under the terminated contract at the time the contract terminated,**  
3 **except managers and supervisors, at wages and with health benefits**  
4 **as favorable as, or more favorable than, the wages and health benefits**  
5 **the individuals received under the terminated contract.**

6 **“(2) A successor service provider that provides the same services**  
7 **under a new contract as provided under the terminated contract may**  
8 **require an individual whom the successor service provider hires under**  
9 **subsection (1) of this section to undergo the hiring procedures and**  
10 **demonstrate during a probationary period the qualifications that the**  
11 **successor service provider establishes for new hires.”.**

12 In line 8, delete “7” and insert “8”.

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