

# Senate Bill 78

Sponsored by Senator THATCHER (at the request of Representative Kevin Mannix) (Presession filed.)

## 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**.

Directs state agencies to offer reinstatement to employees who were terminated or who retired because of COVID-19 vaccine mandates.

Directs Public Employees Retirement Board to adopt rules allowing retired members who are eligible for reinstatement to cancel retirement.

## A BILL FOR AN ACT

1  
2 Relating to state employees affected by COVID-19 vaccine mandates.

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

4 **SECTION 1. (1) As used in this section, "state agency" means any officer, board, com-**  
5 **mission, department, division or institution in the executive branch of state government.**

6 **(2) A state agency shall offer the opportunity for reinstatement, with no loss of seniority**  
7 **or accrued benefits, to any person:**

8 **(a) Whose employment was terminated because the person refused to obtain a**  
9 **vaccination against COVID-19 that was required as a condition of employment; or**

10 **(b) Who retired rather than obtain a vaccination against COVID-19 that was required as**  
11 **a condition of employment.**

12 **(3) The Public Employees Retirement Board shall adopt rules allowing a retired member**  
13 **of the Public Employees Retirement System who is eligible for reinstatement under sub-**  
14 **section (2) of this section to be reemployed by the state agency from which the member re-**  
15 **tired and for the member to again become an active member of the system as if the member**  
16 **had never retired. The rules may require a reinstated member to pay, in a lump sum, any**  
17 **amount of retirement benefits drawn by the member and interest on that amount.**

18 **SECTION 2. Within 30 days after the effective date of this 2023 Act, a state agency shall**  
19 **notify all employees of the agency who are entitled to reinstatement under section 1 of this**  
20 **2023 Act of the provisions of section 1 of this 2023 Act. An employee has 30 days after the**  
21 **date of the notice to accept the offer of reinstatement.**

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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.