
State of Oregon
LEGISLATIVE BRANCH PERSONNEL RULES

Legislative Branch Personnel Rule 7: Workforce and Professional Development

APPLICABILITY: This rule applies to permanent or limited duration employees of the Legislative Branch. This rule does not apply to members of the Legislative Assembly except in their capacity as appointing authorities or where otherwise noted.

Purpose. This rule provides a uniform process to support employees seeking to enhance their professional skills related to their current legislative position or to participate in job-related development activities. The appointing authority may support an employee's request to participate in an educational or professional development program by approving one or more of the following activities, subject to the availability of funds:

- (a) Workforce or professional development activities
- (b) Educational assistance and tuition reimbursement
- (c) Underfill appointments; or
- (d) Job rotations within the Legislative Branch.

Except as otherwise provided in this rule, paid or unpaid leave or time off to attend an activity listed above is granted at the discretion of the appointing authority or the employee's immediate supervisor based on the needs of the department.

Eligibility. Permanent or limited duration employees with six (6) months of continuous service in the Legislative Branch who have successfully passed their introductory period and are in good standing.

1. **Workforce development.** Subject to the availability of funds, the appointing authority may approve full or partial payment of employees' workforce development activities to:

- a) Attend local, regional, or national meetings, seminars, conferences, or workshops sponsored by a professional organization; or
- b) Participate in professional and technical organizations or associations; or
- c) Pursue certifications, accreditations or other technical or professional credentials.

2. **Educational assistance and tuition reimbursement.**

An appointing authority may reimburse eligible employees for tuition, lab fees or supplies, and textbooks paid for by the employee in pursuit of a college degree.

(a) **Availability.** Subject to the availability of funds, and solely at the discretion of the employee's appointing authority in consultation with the Director of Human Resources, the following reimbursement guidelines apply to this program:

- (1) Tuition for enrollment at accredited institutions in Oregon will be prioritized unless the employee can demonstrate that it is more feasible or cost effective to attend an out-of-state institution through virtual attendance.
- (2) The appointing authority may authorize reimbursement up to 100% of costs for tuition, required lab fees or supplies, and textbooks up to the maximum of the current IRS employer educational non-taxable assistance for employees of \$5250 per calendar year.
- (3) Employees are required to complete a course with a grade of C or better. Should an employee receive a grade below C, or the equivalent, or fail to satisfactorily complete an approved course, the employee will not be eligible for reimbursement for that course. After completing a course, the employee must provide official documentation of the final grade received to Employee Services, and the documentation will be placed in the employee's personnel file.
- (4) If an employee drops an approved course prior to completion, the employee is not eligible for reimbursement for that course.
- (5) The request for reimbursement must be made by the employee within 30 days of receiving the final grade for the course.
- (6) If an employee leaves the legislature within a year after completing the approved course work, the employee may be required to reimburse the agency for up to 100% of the costs already paid to the employee.

(b) Participation requirements.

- (1) Employees desiring to participate in the Tuition Reimbursement program must submit documentation that provides: a course description, number of credit hours, and cost of tuition per credit hour from an accredited university or college to Employee Services.
- (2) The employee and appointing authority must certify that the individual course relates to maintaining or improving performance in the employee's current or anticipated job responsibilities.
- (3) Any employee eligible for Tuition Reimbursement under this policy shall be required to complete and sign a form agreeing to the reimbursement provisions prior to the disbursement of any funds.

3. Underfill appointments.

- (a) An underfill appointment is the appointment of an individual in a classification lower than the allocated level of the position. An appointing authority may underfill a position for developmental reasons after consultation with the Human Resources Director. An employee may be appointed to an underfill position only when there is a reasonable expectation that the employee will meet the minimum qualifications of the allocated level of the position within 24 months of appointment.
- (b) Recruitment for underfill opportunities shall be conducted in accordance with LBPR 6.
- (c) An underfill appointment may not be longer than 24 months. If the incumbent in the underfill position does not meet the requirements of the higher-level position within 24 months of appointment, the employee will be involuntarily terminated, and the position will be reopened at the original higher allocated level.
- (d) When the employee, as determined by the appointing authority, satisfactorily meets the requirements and expectations of the position, the employee shall be reclassified to the level required for the position and may receive an increase in pay in accordance with LBPR

4-Upward Reclassification. The effective date of the upward reclassification shall be the first day of the month following the date the appointing authority assessed the employee as meeting all requirements and expectations outlined in the underfill agreement.

(e) An underfill agreement is required for all underfill appointments and must include requirements, expectations, and duration of an underfill appointment. The Underfill Agreement shall be documented with Employee Services prior to an appointment.

4. Job rotations.

The Legislative Branch provides employees with the opportunity to cross-train, develop new skills, and to explore new job functions or assignments in a different department of agency. As used in this rule, “job rotation” means a change in the work performed by an employee and temporary rotation to another department or agency for cross-training or to develop new or additional skills.

(a) Job rotation within the Legislative Branch.

- (1) Job rotations within the Legislative Branch are intended to benefit all the parties involved,
 - (A) Wherein the releasing and receiving appointing authorities agree and approve the job rotation;
 - (B) The employee agrees to assume a different work assignment for a specific period of time not to exceed 12 months; and
 - (C) The employee and the receiving appointing authority mutually agree on the requirements and expectations outlined in the job rotation agreement before the job rotation begins.
- (2) Unless otherwise provided in the job rotation agreement, an employee on a job rotation shall remain in the same position number and classification and shall retain all rights, benefits and privileges of the position.
- (3) An employee on a job rotation may retain the same salary rate.
- (4) The receiving agency or department may provide the salary, employee benefits and other state contributions of an employee on a job rotation.

(b) External job rotations.

Article III, section 1, of the Oregon Constitution, divides state government into three separate branches consisting of the Legislative, Executive and Judicial, and provides that no person charged with official duties under one branch shall exercise any of the functions of another, except as otherwise expressly allowed in the Oregon Constitution. Accordingly, most employees of the Legislative Branch may not enter into a temporary job rotation agreement for a position in another branch of state government and employees of the Executive or Judicial Branch may not enter into a job rotation agreement for a position in the Legislative Branch.

Approved: