

HOUSE AMENDMENTS TO HOUSE BILL 2020

By COMMITTEE ON LABOR AND WORKPLACE STANDARDS

April 16

1 On page 2 of the printed bill, delete lines 12 through 45 and delete page 3 and insert:

2 “**SECTION 2.** ORS 279.853 is amended to read:

3 “279.853. (1)(a) If a public agency or a qualified nonprofit agency for individuals with disabilities
4 terminates or declines to renew a contract procured under ORS 279.850 for janitorial services,
5 grounds maintenance services or security services and the public agency enters into a new contract
6 for the same services, the public agency shall:

7 “**(A) Provide in the new contract that the successor service provider must reimburse**
8 **individuals with disabilities who were employed under the contract that was terminated or**
9 **not renewed for amounts the individuals with disabilities paid for continuation coverage that**
10 **meets the requirements of 29 U.S.C. 1161 to 1169, as in effect on the effective date of this 2025**
11 **Act, or ORS 743B.341, 743B.342 and 743B.343 to 743B.347, as appropriate, during any period**
12 **in which the new employer does not provide the health benefits described in subparagraph**
13 **(B) of this paragraph; and**

14 “**(B) Provide in the new contract that the successor service provider, during a period that ends**
15 **90 days after the date on which the public agency enters into the new contract, offer employment**
16 **to the individuals with disabilities who worked 28 hours or more per week under the contract that**
17 **was terminated or [nonrenewed contract] not renewed at the time the contract ended, at wages [and**
18 **with health benefits] as favorable as, or more favorable than, the wages [and health benefits] the in-**
19 **dividuals with disabilities received under the [terminated or nonrenewed] contract that was termi-**
20 **nated or not renewed. The new contract must also provide health benefits that are as**
21 **favorable as, or more favorable than, the health benefits the individuals with disabilities re-**
22 **ceived under the contract that was terminated or not renewed.**

23 “**(b) The new contract described in paragraph (a) of this subsection must provide the**
24 **health benefits described in paragraph (a)(B) of this subsection at the first opportunity in**
25 **which employee enrollment in the new employer’s benefit plan becomes available but not**
26 **later than one year after the effective date of the new contract.**

27 “[*b*] (c) If the successor service provider under paragraph (a) of this subsection is not a qual-
28 ified nonprofit agency for individuals with disabilities, the public agency shall provide in the new
29 contract that the successor service provider, during a period that ends 90 days after the date on
30 which the public agency enters into the new contract, offer employment to all individuals who
31 worked 28 hours or more per week under the [*terminated or nonrenewed*] contract **that was ter-**
32 **minated or not renewed** at the time the contract ended, except managers and supervisors, at wages
33 and with health benefits as favorable as, or more favorable than, the wages and health benefits the
34 individuals received under the [*terminated or nonrenewed*] contract **that was terminated or not**
35 **renewed.**

1 “(d) At least once during each calendar year, the Oregon Department of Administrative
2 Services shall confirm that each public agency or each qualified nonprofit agency for indi-
3 viduals with disabilities that has terminated or declined to renew a contract as provided in
4 paragraph (a) of this subsection has included the provisions required in this subsection in
5 any contract with a successor service provider. If the department determines that a contract
6 with a successor service provider does not have the required provisions, the department
7 may:

8 “(A) Require the public agency and the qualified nonprofit agency for individuals with
9 disabilities to amend the contract to include the required provisions; and

10 “(B) Impose a civil penalty in an amount that does not exceed \$500 upon each party to
11 the contract for each day in which the parties fail to amend the contract to include the re-
12 quired provisions.

13 “(2) A successor service provider that provides the same services under a new contract [as] that
14 were provided under the [terminated or nonrenewed] contract that was terminated or not renewed
15 may require an individual whom the successor service provider hires under subsection (1) of this
16 section to undergo the hiring procedures and demonstrate during a probationary period the quali-
17 fications that the successor service provider establishes for new hires.

18 “SECTION 3. The amendments to ORS 279.835 and 279.853 by sections 1 and 2 of this 2025
19 Act apply to contracts that a public agency enters into, terminates or declines to renew on
20 or after the effective date of this 2025 Act.”.

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