

House Bill 2903

Sponsored by Representative EVANS (Pre-session 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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act says when the Governor may declare an economic emergency. The Act would allow a state agency to change the employment status of certain jobs to at-will status. The Act would require a review and a report of the changes that were made. (Flesch Readability Score: 65.0).

Grants the Governor authority to declare an economic emergency. Authorizes state agencies to reclassify management service employees to at-will employment status and to adjust staffing levels of management service employees.

Requires a state agency that reclassified management service employees to at-will employment status to review personnel adjustments made during the economic emergency to determine the value of those adjustments and to report findings to the Governor and the Legislative Assembly.

A BILL FOR AN ACT

1
2 Relating to adjustment of classification of management service employees during an economic
3 emergency.

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

5 **SECTION 1. (1) As used in this section:**

6 (a) **"At-will employment status" means employment in a position that serves at the**
7 **pleasure of the appointing authority and that may be terminated at any time without cause.**

8 (b) **"Economic emergency" means the period following the issuance of a state revenue**
9 **forecast by the Oregon Department of Administrative Services that projects a deficit in the**
10 **state budget of at least \$100 million.**

11 (2) **The Governor may exercise the authority granted under ORS 401.165 to declare an**
12 **economic emergency. If an economic emergency has been declared, the Governor may au-**
13 **thorize state agencies to adjust staffing levels among management service employees by re-**
14 **classifying management service employees to at-will employment status for the duration of**
15 **the economic emergency.**

16 (3) **Notwithstanding ORS 240.570, if the Governor declares an economic emergency and**
17 **authorizes reclassification of management service employees under subsection (2) of this**
18 **section, a state agency may reclassify a management service employee to at-will employment**
19 **status and may adjust staffing levels among management service employees.**

20 (4) **Management service employees reclassified to at-will employment status as author-**
21 **ized in this section may not exercise any right to replace another employee on any basis,**
22 **including seniority.**

23 (5)(a) **Not more than six months after the economic emergency declared by the Governor**
24 **has been declared over, each state agency that reclassified management service employees**
25 **to at-will employment status shall review the personnel adjustments made as a result of the**
26 **declaration of economic emergency. The review shall evaluate the value of the functions of**

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.

1 adjusted positions without regard to the specific personnel that have been reclassified,
2 transferred or terminated during the period of economic emergency.

3 (b) After conducting the review required by this subsection, the state agency shall submit
4 a report to the Governor and to the Legislative Assembly in the manner specified in ORS
5 192.245.

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