# Senate Bill 291

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor John A. Kitzhaber, M.D., for Oregon Department of Administrative Services)

## 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.**

Modifies circumstances under which injured state worker has right to reinstatement or reemployment with employer at injury.

Declares emergency, effective on passage.


## A BILL FOR AN ACT

Relating to employment of injured workers; amending ORS 659A.052; and declaring an emergency.

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

**SECTION 1.** ORS 659A.052 is amended to read:

659A.052. (1) **In addition to the rights of injured workers in** [*For the purpose of administration of*] ORS 659A.043 and 659A.046**, if an injured worker has been determined to be medically stationary and**:

(a) [*A N* ] **The** injured worker **was** employed at the time of injury by any agency in the legislative department of the government of this state**, the injured worker** shall have the right to reinstatement or reemployment at available and suitable position in [*any*] **another** agency in the legislative department.

(b) [*A N* ] **The** injured worker **was** employed at the time of injury by any agency in the judicial department of the government of this state**, the injured worker** shall have the right to reinstatement or reemployment at available and suitable position in [*any*] **another** agency in the judicial department.

(c) [*A N* ] **The** injured worker **was** employed at the time of injury by any agency of the executive or administrative department of the government of this state**, the injured worker** shall have the right to reinstatement or reemployment at available and suitable position in [*any*] **another** agency of the executive or administrative department.

(2) Notwithstanding ORS 659A.043 and 659A.046, an injured worker referred to in subsection (1) of this section has preference for entry level and light duty assignments with agencies described in subsection (1) of this section. The legislative and judicial departments of the government of this state may adopt rules to define entry level and light duty assignments. The Administrator of the Personnel Division by rule shall adopt a process to identify entry level and light duty assignments within the executive or administrative department of the government of this state.

(3) In accordance with any applicable provision of ORS chapter 240, the Administrator of the Personnel Division shall compel compliance with this section and ORS 659A.043 and 659A.046 by any agency of the executive or administrative department of the government of this state.

**(4) As used in this section, "medically stationary" has the meaning given that term in ORS 656.005.**

**SECTION 2. This 2015 Act being necessary for the immediate preservation of the public**

**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.




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**peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect on its passage.**

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