

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT
A Notice of Proposed Rulemaking accompanies this form.

FILED
2-15-17 9:52 AM
ARCHIVES DIVISION
SECRETARY OF STATE

Employment Department

471

Agency and Division

Administrative Rules Chapter Number

Amend/repeal criminal records checks rules to comply with amended statutes and HB 3168 (2013).

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of:

Amend OAR 471-007-0200; 471-007-0210; 471-007-0285; 471-007-0300; 471-007-0310; and Repeal OAR 471-007-0220; 471-007-0230; 471-007-0240; 471-007-0250; 471-007-0260; 471-007-0270; 471-007-0280; and 471-007-0290.

Statutory Authority:

ORS 657.610, 181A.195, 181A.200

Other Authority:

House Bill 3168 (2013)

Statutes Implemented:

ORS 181A.195

Need for the Rule(s):

Continues to allow the agency to conduct criminal background checks and fitness determinations as part of the hiring practices enabling the agency to better safeguard its customer's confidential data by ensuring Oregon Employment Department employees are fit for duty.

Amending and repealing sections of the current rule permits the agency to utilize the uniform administrative rules established by Department of Administrative Services in accordance with House Bill 3168 passed in the 2013 Legislative Session.

Documents Relied Upon, and where they are available:

ORS 657, ORS 181A, OAR 125-007-0200, available from the Secretary of State's website or by contacting the Employment Department Rules Coordinator at OED_Rules@oregon.gov (503) 947-1471 or by visiting the Employment Department's website: www.oregon.gov/EMPLOY

Fiscal and Economic Impact:

There are no costs incurred to implement these revisions.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

There is no impact on state agencies, units of local government and the public.

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small business and types of businesses and industries with small businesses subject to the rule:

The rule deals with the hiring practice of the agency rather than the administration of a program so there is no effect on small businesses.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

The rule does not affect small businesses; there are no reporting, record keeping or administrative costs associated with the rule amendment.

c. Equipment, supplies, labor and increased administration required for compliance:

The rule does not affect small businesses; there are no equipment, supplies, labor or increased administration associated with the rule amendment.

How were small businesses involved in the development of this rule?

The rule deals with the hiring practices of the agency rather than the administration of a program so small businesses are not affected.

Administrative Rule Advisory Committee consulted?:No

If not, why?:

The rule deals with the hiring practices of the agency rather than the administration of the program. The relevant subject matter experts from

the agency and the Department of Administrative Services worked on the rule revisions.

03-31-2017 5:00 p.m.	Cristina Koreski	cristina.koreski@oregon.gov
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address

Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310.

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