

HB 2196 A STAFF MEASURE SUMMARY

Carrier: Sen. Knopp

Senate Committee On Workforce

Action Date: 04/30/19

Action: Do pass the A-Eng bill.

Vote: 5-0-0-0

Yeas: 5 - Golden, Hansell, Knopp, Monnes Anderson, Taylor

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

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Meeting Dates: 4/25, 4/30

WHAT THE MEASURE DOES:

Designates employees of the Oregon Military Department (OMD) whose primary duty is fighting structural, aircraft, wildland, or other fires eligible for participation as a firefighter in Public Employees Retirement System (PERS). Applies to former, current, and future OMD employees.

ISSUES DISCUSSED:

- Certification and duties of OMD firefighters
- Current systems safeguarding accuracy of PERS classifications
- Federal reimbursement for OMD firefighters' total compensation, including employer PERS contributions

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Under current law, certain public employees whose primary duty is fighting fires are classified as firefighters for purposes of Public Employees Retirement System (PERS). In the PERS system, workers legally classified as firefighters accrue pensions at a higher rate and qualify for full retirement five years earlier than general service employees. Workers classified as firefighters include firefighters employed by local governments, fire marshals, and employees of the Oregon Department of Forestry certified by the State Forester as professional wildland firefighters.

Since at least 1989, the Oregon Military Department (OMD) has employed people whose primary duty is to fight fires and who work on airbases in Portland and Klamath Falls. The definition of "firefighter" in the PERS statutes does not capture these employees. The Oregon Military Department (OMD), however, mistakenly believed its firefighting employees were classified in PERS as firefighters. Therefore, OMD misclassified such persons as eligible, made PERS contributions at the firefighter rate, and erroneously communicated to employees they would receive PERS firefighter benefits.

House Bill 2196-A clarifies that employees of the OMD whose primary duty is fighting structural, aircraft, wildland, or other fires are eligible for participation as a firefighter in PERS. House Bill 2196-A also grants PERS firefighting status to those employees whose service was misclassified if OMD made the required PERS contributions. Any firefighting employees OMD reported as general service will be converted to firefighters for PERS purposes.