

SENATE AMENDMENTS TO SENATE BILL 494

By COMMITTEE ON WORKFORCE

April 10

1 On page 1 of the printed bill, line 3, after “279.845” insert “, 279.853”.

2 On page 2, delete lines 23 through 26 and insert:

3 “(c) That in the manufacture of products and in the provision of services, whether or not the
4 products or services are procured under ORS 279.835 to 279.855, employs individuals with disabilities
5 for not less than:

6 “(A) 75 percent of the work hours of direct labor required for the manufacture or provision of
7 the products or services during a fiscal year that begins on or before June 30, 2019.

8 “(B) 65 percent of the work hours of direct labor required for the manufacture or provision of
9 the products or services during a fiscal year that begins on or after July 1, 2019, and before June
10 30, 2021.

11 “(C) 60 percent of the work hours of direct labor required for the manufacture or provision of
12 the products or services, or the federal ratio, whichever is lower, during a fiscal year that begins
13 on or after July 1, 2021.”.

14 On page 3, after line 7, insert:

15 “**SECTION 7.** ORS 279.853 is amended to read:

16 “279.853. (1)(a) *[If a public agency terminates a contract for services with a qualified nonprofit*
17 *agency for individuals with disabilities and the public agency enters into a new contract for services*
18 *with a second qualified nonprofit agency for individuals with disabilities, the public agency shall pro-*
19 *vide in the new contract that the second qualified nonprofit agency for individuals with disabilities*
20 *must, during a period that ends 90 days after the date on which the public agency enters into the new*
21 *contract, offer employment to the individuals with disabilities who performed work under the termi-*
22 *nated contract at wages and, for individuals with disabilities who work 28 hours or more per week,*
23 *with health benefits that are as favorable to the individuals with disabilities as, or more favorable to*
24 *the individuals with disabilities than, the wages and health benefits that the individuals with disabili-*
25 *ties had under the terminated contract. The second qualified nonprofit agency for individuals with*
26 *disabilities may require an individual with a disability whom the second qualified nonprofit agency for*
27 *individuals hires under the circumstances described in this section to undergo the hiring procedures*
28 *and demonstrate during a probationary period the qualifications that the second qualified nonprofit*
29 *agency for individuals with disabilities establishes for new hires.] **If a public agency or a qualified***
30 **nonprofit agency for individuals with disabilities terminates a contract procured under ORS**
31 **279.850 for janitorial services, grounds maintenance services or security services and the**
32 **public agency enters into a new contract for the same services, the public agency shall pro-**
33 **vide in the new contract that the successor service provider, during a period that ends 90**
34 **days after the date on which the public agency enters into the new contract, offer employ-**
35 **ment to the individuals with disabilities who worked 28 hours or more per week under the**

1 terminated contract at the time the contract terminated, at wages and with health benefits
2 as favorable as, or more favorable than, the wages and health benefits the individuals with
3 disabilities received under the terminated contract.

4 “(b) If the successor service provider under paragraph (a) of this subsection is not a
5 qualified nonprofit agency for individuals with disabilities, the public agency shall provide in
6 the new contract that the successor service provider, during a period that ends 90 days after
7 the date on which the public agency enters into the new contract, offer employment to all
8 individuals who worked 28 hours or more per week under the terminated contract at the
9 time the contract terminated, except managers and supervisors, at wages and with health
10 benefits as favorable as, or more favorable than, the wages and health benefits the individ-
11 uals received under the terminated contract.

12 “(2) A successor service provider that provides the same services under a new contract
13 as provided under the terminated contract may require an individual whom the successor
14 service provider hires under subsection (1) of this section to undergo the hiring procedures
15 and demonstrate during a probationary period the qualifications that the successor service
16 provider establishes for new hires.”

17 In line 8, delete “7” and insert “8”.
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