

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass
Vote: 6 - 0 - 1
Yeas: Edwards C., Esquivel, Holvey, Rosenbaum, Smith P., Schaufler
Nays: 0
Exc.: Berger
Prepared By: Theresa Van Winkle, Administrator
Meeting Dates: 2/7, 2/26

WHAT THE MEASURE DOES: Increases the current timeframe in which an employee may file a retaliation complaint under occupational safety and health laws from 30 to 90 days. Establishes that when a public records request has been made in regards to the complaint, neither the written complaint from the employee or an employee's representative, or a memorandum containing identity of complainant may be disclosed. Declares an emergency, effective on passage.

ISSUES DISCUSSED:

- Why extension of the timeframe is necessary
- Number of claims filed with Bureau of Labor and Industries
- Outline of complaint process

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: A worker currently has 30 days to file a complaint alleging discrimination for opposing a practice that violated the Oregon Safe Employment Act (OSEA). The OSEA recognizes the right of employees to have a safe and healthful workplace, and prohibits discrimination against employees because of a complaint about, or in opposition to, workplace health and safety hazards. The Occupational Health and Safety Division of the Department of Consumer and Business Services administers the OSEA, while the Bureau of Labor and Industries (BOLI) enforces statutes relating to discrimination and retaliation complaints.

HB 2259 extends the time period for an employee to file a retaliation complaint from 30 days to 90 days, removing confusion for complainants who are unaware of the short timeframe they have to file. All other civil rights violations that BOLI enforces allow a worker up to one year to file a complaint.