

SB 483 STAFF MEASURE SUMMARY

**Senate Committee On Judiciary and Ballot Measure 110
Implementation**

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Meeting Dates: 2/17

WHAT THE MEASURE DOES:

Creates a rebuttable presumption that prohibited retaliation or discrimination has occurred if within 60 days of an employee or prospective employee engaging in protected activities the employer bars or discharges that employee or prospective employee from employment or otherwise discriminates against that person. Protected activities include: opposing any legally forbidden practice; making any related complaint or participating in a proceeding related to that complaint; or in good faith reporting an assault involving health care services. If the employer bars or discharges that employee or prospective employee or otherwise discriminates against that person more than 60 days after the person engaged in protected activity, there is no presumption and the employee or prospective employee must prove that a violation occurred. Declares emergency, effective on passage.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Oregon law makes it an unlawful employment practice for an employer to retaliate against an employee or prospective employee because the employee reported or opposed a workplace health or safety violation, filed a complaint, or testified in a proceeding under the Oregon Safe Employment Act. An aggrieved employee or applicant may file a complaint with the Bureau of Labor and Industries (BOLI) and may file a civil action in court. In general, an action relating to an unlawful employment practice must be filed within one year of the occurrence of the practice.