

**HB 2420 STAFF MEASURE SUMMARY**

**House Committee On Business and Labor**

---

**Prepared By:** Jan Nordlund, LPRO Analyst

**Meeting Dates:** 3/15

---

**WHAT THE MEASURE DOES:**

Extends from 90 days to one year the timeline to file complaint with the Bureau of Labor and Industries alleging retaliation or discrimination for reporting unlawful practice or exercising rights relating to safety and health in the workplace.

**ISSUES DISCUSSED:**

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

The Oregon Occupational Safety and Health Administration Division (OR-OSHA) of the Department of Consumer and Business Services administers the Oregon Safe Employment Act of 1973 (OSEA).<sup>57</sup> The OSEA requires that employers provide safe and healthy workplaces for their employees and ensure that workers have the necessary training and equipment to do their jobs safely. Employers are required to post a notice from OR-OSHA that outlines employees' rights under the OSEA. Employers may not retaliate or discriminate against employees or prospective employees because they have opposed unsafe or unhealthy working conditions, or have complained or assisted in an occupational safety and health proceeding under state law. Employees may file civil rights complaints or civil suits if they believe that an employer has discriminated against them because they opposed safety or health hazards. An individual alleging such discrimination may file a complaint with BOLI's Civil Rights Division within 90 days of the time that the individual had reason to believe that an illegal action occurred. A civil action must be commenced within one year after the employee had reason to believe that an illegal action occurred.

Nearly all civil rights complaints may be filed within one year of the alleged violation; a few exceptions allow five years, and complaints of retaliation involving workplace safety are limited to 90 days.

House Bill 2420 extends to one year the timeline to file a complaint with BOLI alleging retaliation or discrimination for reporting an unlawful practice or exercising rights relating to safety and health in the workplace.