

SB 692 -1, -3 STAFF MEASURE SUMMARY

Senate Committee On Labor and Business

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Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 2/7, 3/9

WHAT THE MEASURE DOES:

Requires Department of Human Services (department) to develop or acquire and maintain information system for tracking investigations of workplace discrimination and harassment. Directs department to develop formal training program for state agency personnel who investigate allegations of workplace discrimination and harassment. Establishes minimum requirements for training program.

ISSUES DISCUSSED:

- Role of BOLI in investigating certain workplace discrimination allegations
- Workplace safety impact on workforce retention
- Secretary of State audit of Department of Administrative Services in 2020

EFFECT OF AMENDMENT:

-1 Replaces Department of Human Services with Oregon Department of Administrative Services.

-3 Replaces Measure. Defines "state agency." Requires state agencies to use information system maintained by Oregon Department of Administrative Services to track internal investigations of workplace discrimination or harassment concerning employees. Specifies minimum capabilities of information system. Directs Department to develop formal training program for state agency personnel who investigate internal allegations of workplace discrimination and harassment concerning employees of state agencies. Establishes minimum requirements of training program.

BACKGROUND:

ORS Chapter 659A encompasses Oregon laws on unlawful employment discrimination. The Bureau of Labor and Industries (bureau) is authorized to prevent unlawful discrimination, including the power to conduct investigations, take evidence, and the like. Employees may file complaints with the bureau alleging an unlawful employment practice or discrimination. The bureau must cease an investigation into an unlawful employment discrimination claim once a civil action has been filed alleging the same matters that form the basis of the complaint.

The Oregon Department of Administrative Services (DAS) maintains a Human Resource Policy section. In part, the Human Resource Policy section provides consulting services to state agency human resource offices and works with other state agencies to create or revise human resource policies. In 2020, the Secretary of State's Office released a report finding that DAS needed to improve oversight of workplace discrimination and harassment within state agencies. In February 2019, DAS began using a Human Resource Information System known as Workday Oregon (Workday). Workday provides a variety of personnel management tools such as payroll and financial management.

Senate Bill 692 requires the Department of Human Services (department) to develop and maintain an information system for tracking workplace discrimination and harassment investigations. It also directs the department to develop a training program for state agency personnel who investigate workplace discrimination and harassment allegations.