

# Enrolled House Bill 3028

Sponsored by Representative NERON, Senators GORSEK, MANNING JR; Representatives CHAICHI, GAMBA, GRAYBER, HUDSON, NELSON, NOSSE, SOSA, Senators CAMPOS, FREDERICK, PATTERSON, WOODS (Presession filed.)

CHAPTER .....

AN ACT

Relating to employment protections; and prescribing an effective date.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1. Section 2 of this 2023 Act is added to and made a part of ORS chapter 659A.**

**SECTION 2. (1) As used in this section, “state board or commission” means a state board or commission referred to in ORS 292.495.**

**(2) It is an unlawful employment practice if an employer discharges, threatens to discharge, intimidates or coerces any employee by reason of the employee’s service or scheduled service as an appointed member of a state board or commission.**

**(3) Subject to subsection (4) of this section, an employer may not require that an employee use vacation leave, sick leave or annual leave for time spent by the employee in service as an appointed member of a state board or commission, and the employer shall allow the employee to take leave without pay for time spent by the employee in service as an appointed member of the state board or commission.**

**(4) The protections provided under subsection (3) of this section apply to an employee who has provided the employer with at least 21 days’ advance notice of any time the employee needs to spend in service as an appointed member of a state board or commission.**

**(5) This section may not be construed to alter or affect an employer’s policies or agreements with employees concerning employees’ wages during times when an employee serves or is scheduled to serve as an appointed member of a state board or commission.**

**(6) An employee who alleges a violation of this section may file a complaint with the Commissioner of the Bureau of Labor and Industries in the manner provided by ORS 659A.820.**

**SECTION 3. This 2023 Act takes effect on the 91st day after the date on which the 2023 regular session of the Eighty-second Legislative Assembly adjourns sine die.**

**Passed by House April 13, 2023**

.....  
Timothy G. Sekerak, Chief Clerk of House

.....  
Dan Rayfield, Speaker of House

**Passed by Senate June 21, 2023**

.....  
Rob Wagner, President of Senate

**Received by Governor:**

.....M,....., 2023

**Approved:**

.....M,....., 2023

.....  
Tina Kotek, Governor

**Filed in Office of Secretary of State:**

.....M,....., 2023

.....  
Secretary of State