

House Bill 3028

Sponsored by Representative NERON, Senators THATCHER, GORSEK; Representatives GRAYBER, HUDSON, NOSSE, Senators CAMPOS, PATTERSON (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Prohibits employer from requiring employee to use vacation, sick or annual leave for time spent by employee as appointed member of board, commission, council or committee created by statute. Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to employment protections; and prescribing an effective date.

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

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

5 **SECTION 2. (1) It is an unlawful employment practice if an employer discharges,**
6 **threatens to discharge, intimidates or coerces any employee by reason of the employee's**
7 **service or scheduled service as an appointed member of a board, commission, council or**
8 **committee created by statute.**

9 (2) An employer may not require that an employee use vacation leave, sick leave or an-
10 nual leave for time spent by the employee in service as an appointed member of a board,
11 commission, council or committee created by statute, and the employer shall allow the em-
12 ployee to take leave without pay for time spent by the employee in service as an appointed
13 member of the board, commission, council or committee.

14 (3) This section may not be construed to alter or affect an employer's policies or agree-
15 ments with employees concerning employees' wages during times when an employee serves
16 or is scheduled to serve as an appointed member of a board, commission, council or com-
17 mittee created by statute.

18 (4) An employee who alleges a violation of subsection (1) of this section may bring a civil
19 action under ORS 659A.885 or file a complaint with the Commissioner of the Bureau of Labor
20 and Industries in the manner provided by ORS 659A.820.

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

23

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.