

Requested by Representative NERON

**PROPOSED AMENDMENTS TO
HOUSE BILL 3028**

1 Delete lines 5 through 20 of the printed bill and insert:

2 **“SECTION 2. (1) As used in this section, ‘state board or**
3 **commission’ means a state board or commission referred to in ORS**
4 **292.495.**

5 **“(2) It is an unlawful employment practice if an employer dis-**
6 **charges, threatens to discharge, intimidates or coerces any employee**
7 **by reason of the employee’s service or scheduled service as an ap-**
8 **pointed member of a state board or commission.**

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

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

19 **“(5) This section may not be construed to alter or affect an**
20 **employer’s policies or agreements with employees concerning**
21 **employees’ wages during times when an employee serves or is sched-**

1 **uled to serve as an appointed member of a state board or commission.**

2 **“(6) An employee who alleges a violation of this section may bring**
3 **a civil action under ORS 659A.885 or file a complaint with the Com-**
4 **missioner of the Bureau of Labor and Industries in the manner pro-**
5 **vided by ORS 659A.820.”.**

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