

## **HB 3789 A -A6 STAFF MEASURE SUMMARY**

### **Senate Committee On Labor and Business**

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**Meeting Dates:** 5/6, 5/8

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#### **WHAT THE MEASURE DOES:**

The measure makes it unlawful to falsely impersonate a union representative. It permits a union representative making an allegation of a violation of the prohibition against falsely impersonating a union representative to bring a civil action to obtain damages. The measure defines "falsely impersonate a union representative" to mean to use fraud or misrepresentation to make a verbal or written communication that purports to be authorized or otherwise approved by a labor organization but that has not, in fact, been authorized or approved by the labor organization. It defines "union representative" and requires a labor organization, as a matter of internal governance, to be the sole authority to identify and designate union representatives associated with the labor organization.

**REVENUE:** No revenue impact

**FISCAL:** Has minimal fiscal impact

#### **ISSUES DISCUSSED:**

##### **EFFECT OF AMENDMENT:**

-A6 The amendment modifies the definition of "falsely impersonate a union representative" by adding that it must be done with the intent to undermine or interfere with the operations of the labor organization, or otherwise negatively impact the labor organization. The amendment also clarifies that the award of monetary damages is statutory.

**FISCAL:** May have fiscal impact, but no statement yet issued

**REVENUE:** No revenue impact

##### **BACKGROUND:**

The Public Employee Collective Bargaining Act (PECBA), ORS Chapter 243.650-243.806, recognizes the right of public employees to organize and engage in collective bargaining, and establishes a uniform process for employees to join and be represented by labor organizations. PECBA also establishes a collective bargaining process for Oregon's public employers and unions representing public employees. Employers covered by PECBA include the State of Oregon and its political subdivisions, such as cities, counties, school districts, community colleges, public universities, public hospitals, mass transit districts, metropolitan service districts, special districts, and other public and quasi-public corporations.

House Bill 3789 A makes it unlawful to falsely impersonate a union representative.