

## Enrolled House Bill 3789

Sponsored by Representatives PHAM H, SOSA, NERON, ANDERSEN, GRAYBER; Representatives CHAICHI, CHOTZEN, DOBSON, FRAGALA, GAMBA, GOMBERG, HUDSON, KROPF, MUNOZ, NELSON, NOSSE, WALTERS, WATANABE, Senators BROADMAN, FREDERICK, LIEBER, MANNING JR, PATTERSON, PHAM K, PROZANSKI, REYNOLDS

CHAPTER .....

AN ACT

Relating to union misrepresentation.

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

**SECTION 1. (1) As used in this section:**

- (a) “Designated representative” has the meaning given that term in ORS 243.796.
- (b) “Exclusive representative” and “labor organization” have the meanings given those terms in ORS 243.650.
- (c) “Falsely impersonate a union representative” means 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, with the intent to undermine or interfere with the operations of the labor organization, or otherwise negatively impact the labor organization.
- (d) “Fraud or misrepresentation” has the meaning given that term in ORS 677.188.
- (e) “Union representative” means:
  - (A) An exclusive representative.
  - (B) A designated representative.
  - (C) An employee or staff member of a labor organization.
  - (D) A member of a labor organization who serves in an elected or appointed position within the union.
- (2) It is unlawful for any person to falsely impersonate a union representative.
- (3) To protect public employees who are members of a labor organization from fraud or misrepresentation, including the false impersonation of a union representative, a labor organization shall have, as a matter of internal governance, the sole authority to identify and designate the union representatives associated with the labor organization.
- (4)(a) A union representative alleging a violation of this section may bring a civil action in a court of appropriate jurisdiction to obtain damages.
- (b) In addition to and not in lieu of any other damages that may be claimed, a plaintiff shall receive statutory damages in an amount of \$6,250 per incident in any action in which the plaintiff establishes that the defendant falsely impersonated a union representative.

**Passed by House April 10, 2025**

**Repassed by House June 2, 2025**

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Timothy G. Sekerak, Chief Clerk of House

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Julie Fahey, Speaker of House

**Passed by Senate May 28, 2025**

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Rob Wagner, President of Senate

**Received by Governor:**

.....M.,....., 2025

**Approved:**

.....M.,....., 2025

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Tina Kotek, Governor

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

.....M.,....., 2025

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Tobias Read, Secretary of State