

Requested by Representative PHAM H

**PROPOSED AMENDMENTS TO  
HOUSE BILL 3789**

1 On page 1 of the printed bill, delete lines 4 through 25 and delete page  
2 2 and insert:

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

4 **“(a) ‘Designated representative’ has the meaning given that term**  
5 **in ORS 243.796.**

6 **“(b) ‘Exclusive representative’ and ‘labor organization’ have the**  
7 **meanings given those terms in ORS 243.650.**

8 **“(c) ‘Falsely impersonate a union representative’ means to use**  
9 **fraud or misrepresentation to make a verbal or written communi-**  
10 **cation that purports to be authorized or otherwise approved by a labor**  
11 **organization but that has not, in fact, been authorized or approved by**  
12 **the labor organization.**

13 **“(d) ‘Fraud or misrepresentation’ has the meaning given that term**  
14 **in ORS 677.188.**

15 **“(e) ‘Union representative’ means:**

16 **“(A) An exclusive representative.**

17 **“(B) A designated representative.**

18 **“(C) An employee or staff member of a labor organization.**

19 **“(D) A member of a labor organization who serves in an elected or**  
20 **appointed position within the union.**

21 **“(2) It is unlawful for any person to falsely impersonate a union**

1 representative.

2 “(3) To protect public employees who are members of a labor or-  
3 ganization from fraud or misrepresentation, including the false  
4 impersonation of a union representative, a labor organization shall  
5 have, as a matter of internal governance, the sole authority to identify  
6 and designate the union representatives associated with the labor or-  
7 ganization.

8 “(4)(a) A union representative alleging a violation of this section  
9 may bring a civil action in a court of appropriate jurisdiction to obtain  
10 damages.

11 “(b) In addition to and not in lieu of any other damages that may  
12 be claimed, a plaintiff shall receive liquidated damages in an amount  
13 of \$6,250 per incident in any action in which the plaintiff establishes  
14 that the defendant falsely impersonated a union representative.”.

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