

D R A F T

SUMMARY

Requires Commissioner of Bureau of Labor and Industries to make available, in electronic format, bureau publications free of charge to Oregon employers.

A BILL FOR AN ACT

Relating to Bureau of Labor and Industries publications; amending ORS 651.060.

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

SECTION 1. ORS 651.060 is amended to read:

651.060. (1) The Commissioner of the Bureau of Labor and Industries may conduct investigations, issue subpoenas and subpoenas duces tecum, administer oaths, obtain evidence and take testimony in all matters relating to the duties required under ORS 279C.800 to 279C.870, 651.030, 651.050, 651.120 and 651.170 and ORS chapters 652, 653, 658 and 659A and in all contested cases scheduled for hearing by the Bureau of Labor and Industries pursuant to ORS chapter 183 when the information sought is relevant to a lawful investigative purpose and is reasonable in scope. The testimony shall be taken in some suitable place in the vicinity to which testimony is applicable. The commissioner shall adopt rules for gathering information through subpoenas or testimony. The rules must include procedures through which a party may object to providing information. After being served with a subpoena, if a person refuses, without reasonable cause, to be examined, to answer any question or to produce any document or other thing as required by the subpoena, the commissioner may petition the circuit court in the county in

1 which the investigation is pending for an order directing the person to show
2 cause why the person has not complied with the subpoena and should not
3 be held in contempt. The commissioner shall serve the court's order upon the
4 person in the manner provided by ORCP 55 D. If the person fails to show
5 cause for the noncompliance, the court shall order the person to comply with
6 the subpoena within such time as the court shall direct and may hold the
7 person in contempt.

8 (2) Witnesses subpoenaed and testifying before any officer of the bureau
9 shall be paid the fees and mileage provided for witnesses in ORS 44.415 (2).
10 The payment shall be made from the fund appropriated for the use of the
11 bureau and in the manner provided in ORS 651.170 for the payment of other
12 expenses of the bureau.

13 (3) The commissioner shall employ a deputy commissioner and such other
14 assistants or personnel as may be necessary to carry into effect the powers
15 and duties of the commissioner or of the bureau and may prescribe the duties
16 and responsibilities of the employees. The commissioner may delegate any
17 of the powers of the commissioner or of the bureau to the deputy commis-
18 sioner and to the other assistants employed under this subsection for the
19 purpose of transacting the business of the commissioner's office or of the
20 bureau. In the absence of the commissioner, the deputy commissioner and the
21 other assistants whom the commissioner employs have full authority, under
22 the commissioner's direction, to do and perform any duty that the law re-
23 quires the commissioner to perform. However, the commissioner is responsi-
24 ble for all acts of the deputy commissioner and of the assistants employed
25 under this subsection.

26 (4) The commissioner may adopt such reasonable rules as may be neces-
27 sary to administer and enforce any statutes over which the commissioner or
28 the bureau has jurisdiction.

29 (5) The commissioner may conduct and charge and collect fees for public
30 information programs pertaining to any of the statutes over which the com-
31 missioner or the bureau has jurisdiction.

1 **(6) Notwithstanding subsection (5) of this section, the commissioner**
2 **shall make available to Oregon employers, free of charge, the bureau's**
3 **employer publications, including employer handbooks and posters, in**
4 **electronic format.**

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