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Senate passes bill to crack down on workplace discrimination

SB 479: Requires written workplace discrimination policies with specific standards

SALEM – Public employees will have easier access to information about workplace policies and laws about discrimination in the workplace, under a bill passed by the Oregon Senate today.

[Senate Bill 479](#) – which passed with a 22-7 vote on the Senate floor – requires public employers to adopt policies with specific standards to prevent and promptly investigate cases of unlawful discrimination. The policies must cover everyone in the public workspace, including volunteers, interns and elected officials. It also requires public employers to proactively distribute written information about these policies and all available remedies to employees when they are hired and anytime they raise concerns about discrimination. The bill also makes it illegal for employers to use nondisclosure agreements to silence employees or prospective employees regarding discrimination cases.

“Employees who experience workplace discrimination or harassment need clear information about the remedies available to them,” said Sen. Sara Gelser (D-Corvallis), who carried the bill on the Senate floor. “Providing these materials in writing will empower individuals to make choices that meet their needs. It will ensure elected officials at every level of government are held accountable, and that volunteers are protected from harassment at every level of government.”

Under Oregon law, it’s illegal for employers to discriminate in wages or terms, conditions or privileges of employment based on race, color, religion, sex, sexual orientation, national origin, marital status, age expunged juvenile criminal record, uniformed service or disability. The bill

requires that public employers adopt policies to prevent and investigate unlawful employment practices as well as sexual harassment. Each prevention policy must include the following:

- A statement prohibiting workplace harassment;
- Avenues to seek redress;
- Available remedies in each avenue;
- The tort claim notice deadline;
- A statement that reporters are protected from retaliation;
- A statement that the policy applies to public officials, volunteers and interns;
- An explanation that the victim may voluntarily disclose workplace harassment involving them; and
- Information connecting the victim to support services.

The investigation policy must include instruction on maintenance of records, establishing a process for victims to file complaints and follow-up every three months with victims who file complaints. The bill also extends the statute of limitations for filing civil action or a Bureau of Labor and Industries complaints from one year to five years for discrimination.

Senate Bill 479 now goes to the House of Representatives for consideration.

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