

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass
Vote:	7 - 0 - 0
Yeas:	Berger, Edwards C., Esquivel, Holvey, Rosenbaum, Smith P., Schaufler
Nays:	0
Exc.:	0
Prepared By:	Theresa Van Winkle, Administrator
Meeting Dates:	2/7, 2/26, 3/19

WHAT THE MEASURE DOES: Makes discrimination against an employee for filing a wage claim or reporting violations of working conditions, minimum wage, and overtime laws an unlawful employment practice. Clarifies that compensatory damages are an available remedy.

ISSUES DISCUSSED:

- Measure does not take away current level of employees' rights
- Whether there is a need to cap damage amounts
- Whether the measure would increase the number of "whistleblower" filings

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: An employee who reports or complains about a possible wage claim violation is protected from retaliation if the wage or hour violation is covered in a criminal statute under the "whistleblower" laws. HB 2255 aligns current law and process relating to retaliation against an employee for asserting specific wage related rights by making it an unlawful employment practice, similar to a whistle blowing-type remedy, under ORS Chapter 659A.

Besides standardizing the law for all wage related claims, the bill also allows the recovery of \$200 or actual compensatory damages, whichever is greater, and punitive damages as well as recovery fees, which is currently offered to those classified as whistleblowers under ORS 659A.230 (discrimination for initiating or aiding in criminal or civil proceedings).