

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass
Vote:	4 - 3 - 0
Yeas:	Edwards C., Holvey, Rosenbaum, Schaufler
Nays:	Berger, Esquivel, Smith P.
Exc.:	0
Prepared By:	Theresa Van Winkle, Administrator
Meeting Dates:	3/14, 4/9

WHAT THE MEASURE DOES: Prohibits an employer from requiring an employee to attend a meeting or participate in communication concerning the employer's opinion about religious or political matters or from taking adverse employment action against employee related to the meeting or communication. Requires employers to post a notice regarding employees' rights related to the provisions of the measure. Provides exceptions for religious organizations, political organizations and executive meetings. Creates a cause of action.

ISSUES DISCUSSED:

- Measure based upon similar legislation in California
- Examples of workers who have been required to attend mandatory meetings regarding political matters
- Average size of an employer whose employees belong to a union
- Level of communication between employer and employee
- Liability for miscommunication by an employee's agent
- Constitutionality of the measure

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: HB 2893 establishes new statute regarding employees and their rights related to attending meetings at the workplace regarding an employer's opinion about religious or political matters. Attendance at these types of meetings cannot be mandatory and the employer cannot take any adverse employment action (or threaten to do such) against an employee as a means of requiring an employee to attend a meeting or participate in communications related to religious or political matters as described in the measure.

An employee may bring a civil action against an employer who violates the provisions of the measure no later than 90 days after the date of the alleged violation. The court can award a prevailing employee all appropriate relief, such as injunctive relief, back pay and re-establishment of employee benefits, and any other appropriate relief deemed necessary by the court "to make the employee whole."

HB 2893 also outlines specific employee and employer rights. The measure does not limit an employee's right to bring a common law cause of action against an employer for wrongful termination; prohibit a religious organization from requiring its employees from attending an employer-sponsored meeting or participate in any communication with the employer or its representative(s) for the primary purpose of communicating the employers' religious tenets or purposes; prohibit a political organization from requiring its employees from attending an employer-sponsored meeting or participate in any communication with the employer or its representative(s) for the primary purpose of communicating the employers' political tenets or purposes; prohibit communications of information about religious or political matters that the employer is required by law to communicate; or prohibit an employer's executive or administrative personnel meeting to discuss issues related to the employer's business. It also does not limit the application of ORS 260.432 (employee's rights participating in political activities).

4/17/2007 9:02:00 AM

This summary has not been adopted or officially endorsed by action of the committee.