

House Bill 2139

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Attorney General Hardy Myers for Department of Justice)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Provides that mediation of workplace interpersonal disputes between employees of public body may be confidential.

A BILL FOR AN ACT

1
2 Relating to mediation; amending ORS 36.228.

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

4 **SECTION 1.** ORS 36.228 is amended to read:

5 36.228. (1) Notwithstanding any other provision of ORS 36.220 to 36.238, if the only parties to
6 a mediation are public bodies, mediation communications and mediation agreements in the mediation
7 are not confidential except to the extent those communications or agreements are exempt from dis-
8 closure under ORS 192.410 to 192.505. **Mediation of workplace interpersonal disputes between**
9 **employees of a public body is not subject to this subsection.**

10 (2) Notwithstanding any other provision of ORS 36.220 to 36.238, if two or more public bodies
11 are parties to a mediation in which a private person is also a party, mediation communications in
12 the mediation are not confidential if the laws, rules or policies governing confidentiality of medi-
13 ation communications for at least one of the public bodies provide that mediation communications
14 in the mediation are not confidential.

15 (3) Notwithstanding any other provision of ORS 36.220 to 36.238, if two or more public bodies
16 are parties to a mediation in which a private person is also a party, mediation agreements in the
17 mediation are not confidential if the laws, rules or policies governing confidentiality of mediation
18 agreements for at least one of the public bodies provide that mediation agreements in the mediation
19 are not confidential.

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NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.