

**Enrolled**  
**Senate Bill 383**

Sponsored by Senator MONROE; Senator MORRISETTE

CHAPTER .....

AN ACT

Relating to home care workers.

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

**SECTION 1. Section 2 of this 2009 Act is added to and made a part of ORS 183.413 to 183.470.**

**SECTION 2. (1) Notwithstanding ORS 8.690, 9.160 and 9.320, a home care worker, as defined in ORS 410.600, who is a party in a contested case hearing conducted by the Department of Human Services may be represented in the hearing by a labor union representative.**

**(2) The hearing officer at a contested case hearing in which a labor union representative appears under the provisions of this section shall allow the representative to present evidence, examine and cross-examine witnesses and make arguments relating to the:**

- (a) Application of statutes and rules to the facts in the contested case;**
  - (b) Actions taken by the agency in the past in similar situations;**
  - (c) Literal meaning of the statutes or rules at issue in the contested case;**
  - (d) Admissibility of evidence; and**
  - (e) Proper procedures to be used in the contested case hearing.**
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**Passed by Senate April 7, 2009**

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Secretary of Senate

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President of Senate

**Passed by House June 2, 2009**

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Speaker of House

**Received by Governor:**

.....M,....., 2009

**Approved:**

.....M,....., 2009

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Governor

**Filed in Office of Secretary of State:**

.....M,....., 2009

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Secretary of State