

Senate Bill 383

Sponsored by Senator MONROE; Senator MORRISETTE

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**.

Allows home care worker who is party in contested case hearing conducted by Department of Human Services to be represented by labor union representative.

A BILL FOR AN ACT

1
2 Relating to home care workers.

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

4 **SECTION 1. Section 2 of this 2009 Act is added to and made a part of ORS 183.413 to**
5 **183.470.**

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

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

- 12 **(a) Application of statutes and rules to the facts in the contested case;**
13 **(b) Actions taken by the agency in the past in similar situations;**
14 **(c) Literal meaning of the statutes or rules at issue in the contested case;**
15 **(d) Admissibility of evidence; and**
16 **(e) Proper procedures to be used in the contested case hearing.**
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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.