

Minority Report No. 2
B-Engrossed
Senate Bill 519

Ordered by the House June 16
Including Senate Amendments dated May 5 and House Minority Report
Amendments dated June 16

Sponsored by nonconcurring members of the House Committee on Rules: Representatives GARRARD, BERGER

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.

[Prohibits employer from taking adverse employment action against employee who declines to attend meeting or participate in communication concerning employer's opinion about religious or political matters. Requires employer to post notice. Provides exceptions for religious organizations, political organizations and certain meetings and communications. Creates cause of action.]

Declares public policy relating to employer and employee communications.

Refers Act to people for their approval or rejection at next regular general election.

A BILL FOR AN ACT

1
2 Relating to mandatory workplace communications to employee about employer's opinions; and pro-
3 viding that this Act shall be referred to the people for their approval or rejection.

4 Whereas employers drive the Oregon economy; and

5 Whereas communications made by employers to employees are essential to operations; and

6 Whereas federal law already prohibits employers from making threats or promises of benefits to
7 employees during a unionization campaign; and

8 Whereas public policy has a direct effect on both employers and employees; now, therefore,

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

10 **SECTION 1. As used in this section and section 2 of this 2009 Act:**

11 (1) **"Constituent group" includes, but is not limited to, civic associations, community**
12 **groups, social clubs and mutual benefit alliances, including labor organizations.**

13 (2) **"Employee" means an individual engaged in service to an employer in a business of**
14 **the employer.**

15 (3) **"Employer" includes:**

16 (a) **A person engaged in business that has employees; and**

17 (b) **A public body, as defined in ORS 174.109.**

18 (4) **"Labor organization" means an organization that exists for the purpose, in whole or**
19 **in part, of collective bargaining, of dealing with employers concerning grievances, terms or**
20 **conditions of employment or of other mutual aid or protection in connection with employ-**
21 **ment.**

22 (5) **"Political matters" includes political party affiliation, campaigns for legislation or**
23 **candidates for political office and the decision to join, not join, support or not support any**
24 **lawful political or constituent group or activity.**

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.

1 **(6) “Religious matters” includes religious affiliation or the decision to join, not join,**
2 **support or not support a bona fide religious organization.**

3 **SECTION 2.** **It is declared that it is the public policy of the State of Oregon that:**

4 **(1) The state shall not interfere in communications between employers and employees;**

5 **(2) The state shall not restrict the free speech communications of an employer;**

6 **(3) The state shall not restrict the right of an employer to communicate to employees**
7 **about how political matters or the activities of labor organizations could affect the activities**
8 **or functions of the employer or the employee; and**

9 **(4) The state shall not restrict or limit any communication of religious matters by an**
10 **employer with a religious focus.**

11 **SECTION 3.** **This 2009 Act shall be submitted to the people for their approval or rejection**
12 **at the next regular general election held throughout this state.**

13