

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass

Vote: 9 - 0 - 1

Yeas: Barton, Cameron, Esquivel, Hoyle, Kennemer, Matthews, Thatcher, Witt, Schaufler

Nays: 0

Exc.: Holvey

Prepared By: Theresa Van Winkle, Administrator

Meeting Dates: 2/17

WHAT THE MEASURE DOES: Expands protection under the state’s public employee Whistleblower Law to include discussions with any member of an elected governing body of any political subdivision and with elected local government auditors. Declares an emergency, effective upon passage.

ISSUES DISCUSSED:

- Example of discussions between a local government employee and an elected official which resulted in retribution
- Rationale behind including elected local government auditors in the measure
- Whether judges are included in the measure
- Overview of Oregon’s Whistleblower Law

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Current statute prevents public employers from prohibiting employees from responding to an official request regarding state or local government, issued by either a member of the Legislative Assembly or legislative committee staff acting under the direction of a member; or discriminating or retaliating against employees for disclosing any information that they reasonably believe is evidence of violation of state, federal, or local laws, rules and regulations, or mismanagement, “gross waste of funds,” abuse of authority, or substantial and specific danger to public health and safety. SB 996 A extends the protection to conversations between public employees and elected local government officials, including elected auditors.

Violations of the state’s Whistleblower Law are considered unlawful employment practices enforced by the Bureau of Labor and Industries (BOLI). Remedies for unlawful discrimination include filing a complaint with BOLI or filing a civil action with either circuit court or federal district court.