

Joint Committee on Ways and Means

Carrier – House: Rep. Whisnant
Carrier – Senate: Sen. Verger

Revenue: No revenue impact

Fiscal: Minimal fiscal impact, no statement issued

Action: Do Pass the A-Engrossed Measure

Vote: 24 – 0 – 1

House

Yeas: Beyer, Buckley, Cowan, Freeman, Garrard, Komp, Kotek, McLane, Nathanson, Richardson,
G. Smith, Thatcher, Whisnant

Nays:

Exc: Nolan

Senate

Yeas: Bates, Devlin, Edwards, Girod, Johnson, Monroe, Nelson, Thomsen, Verger, Whitsett, Winters

Nays:

Exc:

Prepared By: Robin LaMonte, Legislative Fiscal Office

Meeting Date: June 8, 2011

WHAT THE MEASURE DOES: Requires Oregon employers who employ six or more individuals to allow eligible employees to take unpaid leave to address issues arising from harassment. Provides definition for term “victim of harassment”. Includes an individual who has obtained a court’s stalking protective order or a temporary court’s stalking protective order to definition of “victim of stalking”. Delineates unlawful employment practices for an employer. As requested, requires employer to make reasonable safety accommodations to the victim of harassment. Allows a state employee in an unclassified or exempt position, who is not a confidential, managerial or supervisory employee, to be accompanied by an individual selected by the victimized employee to be present during any interview between the employee and employer. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Effect of harassment on employees
- Need to provide protections

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: A crime of harassment occurs if a person intentionally harasses or annoys another person by subjecting another person to offensive physical contact or publicly insulting a person by abusive words or gestures in a manner intended and likely to provoke a violent response. For example, an individual subjects another person to alarm by conveying a false report, known by the conveyor to be false, concerning death or serious physical injury to a person, and when told would reasonably be expected to cause alarm to the recipient; or subjects another person to alarm by conveying a telephonic, electronic or written threat to inflict serious physical injury on the recipient or to commit a felony involving the person or property of that person or any member of that person’s family, in which the threat would reasonably be expected to cause alarm to the recipient.