



# Oregon

## Bureau of Labor and Industries

Brad Avakian  
Commissioner

February 14, 2012

Testimony to Senate Committee on Veterans' and Military  
Provided by: Kate Newhall, Legislative Director  
Oregon Bureau of Labor & Industries

EXHIBIT: 12  
2012 SESSION S VETERANS' & MILITARY  
AFFAIRS  
DATE: 2/14 PAGES: 1  
SUBMITTED BY: Kate Newhall

The Oregon Bureau of Labor and Industries (BOLI) appreciates the opportunity to testify in support of HB 4064. As the agency responsible for the enforcement of this state's employment protections for uniformed service men and women and veterans hiring preference laws, we fully support this legislation and the existing referral process it formalizes between Oregon Department of Veteran's Affairs (ODVA) and BOLI.

The employment protections for uniformed service men and women, passed in 2009 by HB 3256, protect these employees from employment discrimination based on their service obligations (ORS 659A.082-659A.086). We believe it is critical that these employees are able to serve their country without fear of retaliation or losing their job. We also recognize that there are often resources and services available to these service men and women that they may be unaware of and that ODVA can often help them access.

HB 4064 will codify in law our existing referral process, which began in the summer of 2011. Whenever a civil rights complaint is filed by a service person, BOLI, with the complainant's authorization, refers them to ODVA for follow-up. ODVA then contacts them to determine if there are additional resources or services available to the serviceperson that they are not currently accessing. This includes complaints filed by service people even if their complaint is not related to their uniformed services (e.g. a racial discrimination, sexual harassment complaint, whistle blowing or any other complaint filed under 659A). We ask every complainant if they are a serviceperson and, if so, if they want to be referred to ODVA to learn about potential resources they might be eligible for. We have a simple check-box on our intake form to ask these two questions of every complainant.

HB 4064 is identical to HB 3668 introduced last session, a concept that enjoyed wide support, but simply ran out of time to pass the second chamber in 2011. We started this informal referral process after Rep. Mathews introduced last session's legislation. To date, we have referred 15 complainants to ODVA. ODVA reports that about half elected to receive assistance accessing their veteran benefits, including health care, disability compensation, and education benefits. We look forward to continuing this partnership and working closely with ODVA when it comes to serving our veterans and uniformed service people. We also appreciate Rep. Matthews' commitment to this issue and commend him for introducing this legislation.

Thank you for the opportunity to testify in support of HB 4064. I would be happy to answer any questions.

**PORTLAND**  
800 NE Oregon St, Suite 1045  
Portland, OR 97232-2180  
(971) 673-0763  
Fax (971) 673-0762  
TTY (971) 673-0766

**EUGENE**  
1400 Executive Parkway, Suite 200  
Eugene, OR 97401-2158  
(541) 686-7623  
FAX (541) 686-7980

**BEND**  
Worksource Bend  
1645 NE Forbes Rd, Ste 106  
Bend, OR 97701-4990  
(541) 322-2435  
FAX (541) 389-8265

**MEDFORD**  
119 N Oakdale Ave.  
Medford, OR 97501-2629  
(541) 776-6270  
FAX (541) 776-6284

**SALEM**  
3865 Wolverine St. NE; E-1  
Salem, OR 97305-1268  
(503) 378-3292  
FAX (503) 373-7636

**PENDLETON**  
1327 SE 3<sup>rd</sup> St.  
Pendleton, OR 97801-4101  
(541) 276-7884  
FAX (541) 276-5767

[www.oregon.gov/boli](http://www.oregon.gov/boli)  
AN EQUAL OPPORTUNITY EMPLOYER

