

STAFF MEASURE SUMMARY

House Committee On Business and Labor

**Fiscal:** Fiscal impact issued

**Revenue:** No Revenue Impact

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**Action Date:** 06/05/15

**Action:** Do Pass As Amended And Be Printed Engrossed.

**Meeting Dates:** 06/01, 06/05

**Vote:**

Yeas: 6 - Barton, Doherty, Evans, Fagan, Holvey, Nosse

Nays: 1 - Weidner

Exc: 4 - Barreto, Esquivel, Heard, Kennemer

**Prepared By:** Jan Nordlund, Committee Administrator

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**WHAT THE MEASURE DOES:**

Grants the Labor Commissioner discretion over preparation of formal charges in certain situations. Requires Bureau of Labor and Industries to report to Legislative Assembly by February 1, 2017, on resolution of complaints in two-year period prior to effective date and on those complaints after implementation of measure. Sunsets provisions of measure October 1, 2017.

Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- Claimant may be represented in court by private attorney; Bureau represents the case
- Change in practice of Department of Justice billing Bureau for legal services
- Whether passage of measure will result in determination of Oregon law no longer being “substantially equivalent” to the federal Fair Housing Act
- Communications with U.S. Department of Housing and Urban Development (HUD)
- Whether contract with HUD will be renewed if Oregon law not substantially equivalent
- Other states found to be out of conformity

**EFFECT OF COMMITTEE AMENDMENT:**

Requires Bureau of Labor and Industries to report to Legislative Assembly by February 1, 2017, on resolution of complaints in two-year period prior to effective date and on those complaints after implementation of measure. Sunsets provisions of measure October 1, 2017.

**BACKGROUND:**

The Bureau of Labor and Industries (BOLI) has jurisdiction over matters such as wage and hour disputes, civil rights violations, and apprenticeship and training. Among their responsibilities, BOLI enforces laws granting individuals equal access to housing.

Currently, under Oregon law, if BOLI cannot resolve a housing discrimination dispute or if either party so requests, the Labor Commissioner must prepare formal charges and resolve the case in court. In such cases, BOLI pays the court fees. This process conforms to the U.S. Department of Housing and Urban Development (HUD) standards required for BOLI to handle federal housing discrimination claims under contract with HUD.

Senate Bill 380-B grants the Labor Commissioner discretion over the preparation of formal charges. This discretion will sunset October 1, 2017. BOLI is directed to report to the Legislative Assembly by February 1, 2017 on the resolution of complaints since passage of the measure, as well as on the resolution of complaints received in the two-year prior to passage of the measure.