

**SB 1559 A STAFF MEASURE SUMMARY**

**Senate Committee On General Government and Accountability**

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**Action Date:** 02/15/18

**Action:** Do pass with amendments and requesting referral to Rules. (Printed A-Engrossed.)

**Vote:** 5-0-0-0

**Yeas:** 5 - Hass, Linthicum, Manning Jr, Prozanski, Thatcher

**Fiscal:** Fiscal impact issued

**Revenue:** No revenue impact

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**WHAT THE MEASURE DOES:**

Modifies whistleblower protections to require four public employers to pilot a program allowing for anonymous reports until January 2, 2021: the Oregon Health Authority and Departments of Transportation, Human Services, and Environmental Quality. Requires Bureau of Labor and Industries (BOLI) to develop a manual of uniform standards and procedures and provide corresponding mandatory training, both available in electronic form, with specified minimum requirements, periodically updated. Directs BOLI and the identified agencies to collect and compile specified data and submit a written report to the Governor and the legislature by January 1st of each odd-numbered year.

**ISSUES DISCUSSED:**

- Development of measure
- Whether the Department of Justice or BOLI should be responsible for uniform manual and training components

**EFFECT OF AMENDMENT:**

Creates pilot program for four agencies, rather than instituting anonymous reporting outright, statewide. Substitutes Bureau of Labor and Industries (BOLI) for Department of Justice, so that BOLI assumes responsibility for training and development of manual. Permits training modules to be in electronic form and requires manual to be publicly available online. Specifies minimum content and requires periodic review and update. Directs BOLI to collect data in cooperation with named agencies for submission of written report to legislature and Governor by January 1st of odd-numbered years. Clarifies that training program applies to entire executive department.

**BACKGROUND:**

"Whistleblowers" are employees, typically public employees, who report questionable conduct or activity by their employer, and by doing so, put themselves at risk of retaliation by the employer: discharge, demotion, or some other adverse decision with regard to compensation or terms of employment. Congress initially addressed whistleblower rights and protections for federal employees as part of the Civil Service Reform Act of 1978, and has strengthened those protections over time. Every state in the nation has since enacted statutory whistleblower protections for public employees, including Oregon, and a handful of states have extended protections to private employees.

Senate Bill 1559A requires the Bureau of Labor and Industries (BOLI) to prepare a manual of uniform standards and procedures and provide corresponding mandatory training to the executive department with regard to whistleblower rights and protections. Training modules may be in electronic form, and the manual must be publicly available online. BOLI and identified agencies are also directed to collect and compile specified data for a written report to the Governor and the legislature by January 1st of each odd-numbered year. Finally, the measure requires the Oregon Health Authority and the Departments of Transportation, Human Services, and Environmental Quality to pilot a process that allows anonymous reporting until January 2, 2021.