A BILL FOR AN ACT

Relating to protected activities of public employees.

Be It Enacted by the People of the State of Oregon:

SECTION 1. The directors of each of the following state agencies shall consult and co-operate with each other to develop a pilot program within each respective agency to provide an optional procedure whereby an employee may anonymously disclose information under ORS 659A.203 (1)(b):

(1) The Oregon Health Authority;
(2) The Department of Transportation;
(3) The Department of Human Services; and
(4) The Department of Environmental Quality.

SECTION 2. Sections 3 to 5 of this 2018 Act are added to and made a part of ORS 659A.200 to 659A.224.

SECTION 3. (1)(a) The Bureau of Labor and Industries shall establish by rule a mandatory training program on employee rights and prohibited employer conduct with respect to whistleblowing activities in this state.

(b) At least once a year, the bureau shall provide the training to all supervisors and employees within the executive department, as defined in ORS 174.112. The bureau may de-
velop training modules to make the training available online to trainees.

(2) At a minimum, the training must:

(a) Apprise trainees of the uniform standards and procedures provided in the manual described in section 4 of this 2018 Act.

(b) Describe the procedures for disclosing information under ORS 659A.200 to 659A.224.

(c) Educate trainees of rights that are available and conduct that is prohibited under ORS 659A.200 to 659A.224.

SECTION 4. (1) The Bureau of Labor and Industries shall adopt a uniform standards and procedures manual that provides guidelines for implementing ORS 659A.200 to 659A.224.

(2) The bureau shall make the manual available to the public on the bureau's website.

(3) The manual must include, but need not be limited to, the following information:

(a) Proper procedures for disclosing information under ORS 659A.200 to 659A.224;

(b) The rights and remedies provided to an employee who discloses information under ORS 659A.200 to 659A.224; and

(c) The implementation of statutes and rules relating to protected activity under ORS 659A.200 to 659A.224 as interpreted by the case law of this state.

(4) The bureau shall review the manual on a periodic basis and make updates as necessary to reflect recent changes in rule or law, including case law, regarding disclosures of information under ORS 659A.200 to 659A.224.

SECTION 5. (1) The Bureau of Labor and Industries, in consultation and cooperation with the agencies described in section 1 of this 2018 Act, shall collect and compile information and data relating to disclosures of information made under ORS 659A.200 to 659A.224. The information and data shall include:

(a) The total number of disclosures made by an employee to a public employer pursuant to ORS 659A.221 of matters described in ORS 659A.203 (1)(b); and

(b) The total number of all reports of violations of ORS 659A.203 or 659A.218.

(2) No later than January 1 of each odd-numbered year, the bureau shall submit to the Governor, and, in the manner provided in ORS 192.245, to an appropriate committee or interim committee of the Legislative Assembly, a written report that includes the information and data described in subsection (1) of this section.

SECTION 6. Section 1 of this 2018 Act is repealed on January 2, 2021.