

A-Engrossed
Senate Bill 1559

Ordered by the Senate February 16
Including Senate Amendments dated February 16

Sponsored by Senator WINTERS; Senator MANNING JR (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Directs *[state agencies to establish procedure]* **directors of certain state agencies to develop pilot program to provide optional procedure** for employees to anonymously disclose certain information.

Sunsets pilot program on January 2, 2021.

[Requires Department of Justice to establish mandatory training program regarding whistleblowing activities in this state. Requires department to establish manual describing department's standards and procedures for implementing Whistleblower Law.]

[Directs Bureau of Labor and Industries to study and report findings and recommendations regarding whistleblowing activities in this state.]

Requires Bureau of Labor and Industries to establish mandatory training program to train supervisors and employees within executive department on rights and prohibited conduct under Whistleblower Law.

Requires Bureau of Labor and Industries to adopt uniform standards and procedures manual that provides guidelines for implementing Whistleblower Law. Requires bureau to make manual available to public on bureau's website.

Requires Bureau of Labor and Industries to collect and compile information relating to protected activities under Whistleblower Law. Requires bureau to submit written report to Governor and appropriate interim committee of Legislative Assembly no later than January 1 of each odd-numbered year.

A BILL FOR AN ACT

1
2 Relating to protected activities of public employees.

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

4 **SECTION 2. The directors of each of the following state agencies shall consult and co-**
5 **operate with each other to develop a pilot program within each respective agency to provide**
6 **an optional procedure whereby an employee may anonymously disclose information under**
7 **ORS 659A.203 (1)(b):**

8 **(1) The Oregon Health Authority;**

9 **(2) The Department of Transportation;**

10 **(3) The Department of Human Services; and**

11 **(4) The Department of Environmental Quality.**

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

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

17 **(b) At least once a year, the bureau shall provide the training to all supervisors and**
18 **employees within the executive department, as defined in ORS 174.112. The bureau may de-**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 velop training modules to make the training available online to trainees.

2 (2) At a minimum, the training must:

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

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

6 (c) Educate trainees of rights that are available and conduct that is prohibited under ORS
7 659A.200 to 659A.224.

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

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

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

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

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

15 (c) The implementation of statutes and rules relating to protected activity under ORS
16 659A.200 to 659A.224 as interpreted by the case law of this state.

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

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

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

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

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

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