

SB 478 -3, -4 STAFF MEASURE SUMMARY

Senate Committee On Workforce

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Meeting Dates: 2/28, 4/2

WHAT THE MEASURE DOES:

Prohibits principal or non-principal political committees from use of campaign moneys to make payments in connection with nondisclosure agreement relating to workplace harassment. Prohibits public officials or candidates from use of public moneys to make payments in connection with nondisclosure agreement relating to workplace harassment. Prohibits public officials or candidates from using money from third party to make payments in connection with nondisclosure agreement relating to workplace harassment, if alleged harassment occurred when the official or candidate was acting as an official or candidate.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-3 Clarifies that prohibited payments include money, stock, severance payments, promises of positive a reference or assistance with future public employment, promise of bonus payments, alternative work arrangements, and waiver of future claims. Renders nondisclosure agreement void and unenforceable if prohibited terms or conditions are present. Defines workplace harassment to include discrimination prohibited by ORS 659A.030.

-4 Increases civil penalty in civil action from \$1000 to two times the penalty for each violation. Increases civil penalty in governmental ethics proceeding from \$5000 to two times the penalty for each violation.

BACKGROUND:

Oregon law is silent on whether campaign funds or public funds may be used to make payments in connection with nondisclosure agreement relating to workplace harassment. Senate Bill 478 would prohibit the practice. In addition, Senate Bill 478 would prohibit public officials or candidates from using money from any third party to make payments in connection with nondisclosure agreement relating to workplace harassment, if alleged harassment occurred when the official or candidate was acting as an official or candidate.