

# House Bill 2489

Sponsored by Representative HOLVEY; Representatives DOHERTY, NOSSE (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 **as introduced**.

Establishes conditions of enforceability for certain employment contracts or agreements.

Allows court to award to prevailing plaintiff who is employee reasonable attorney fees in addition to injunctive relief or specific performance.

## A BILL FOR AN ACT

1  
2 Relating to enforceability of employment contracts.

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

4 **SECTION 1. (1) If an employment contract or agreement is entered into between an**  
5 **employer and an employee who primarily works or resides in this state, the terms of the**  
6 **contract or agreement are enforceable only if the following conditions are met:**

7 (a) **The terms of the employment contract or agreement have been reduced to writing;**

8 (b) **If the employment contract or agreement is required as a condition of employment,**  
9 **the employer informs the employee of the requirement in a written employment offer re-**  
10 **ceived by the employee at least two weeks before the first day of the employee's employment;**

11 (c) **The terms of the employment contract or agreement explain that the contract or**  
12 **agreement is intended to be binding upon the parties to the contract or agreement;**

13 (d) **The duration of the employment contract or agreement does not exceed two years;**

14 (e) **The terms of the employment contract or agreement do not diminish any rights,**  
15 **privileges or remedies available to an employee under federal or state law; and**

16 (f) **The employer who is a party to the employment contract or agreement is a business**  
17 **registered with the Secretary of State for the entire duration of the employment contract**  
18 **or agreement.**

19 (2) **In addition to other available remedies, including injunctive relief or specific per-**  
20 **formance, a court may award reasonable attorney fees to a plaintiff who is an employee and**  
21 **who is seeking to enforce the terms of an employment contract or agreement that meets the**  
22 **conditions provided in subsection (1) of this section.**

23 (3) **Subsection (1) of this section does not apply to collective bargaining agreements en-**  
24 **tered into between an employer and a labor organization for purposes of collective bargain-**  
25 **ing, contracts or agreements entered into pursuant to ORS 100.485, 342.845 and 653.295 and**  
26 **ORS chapter 94.**

27 **SECTION 2. Section 1 of this 2019 Act applies to employment contracts or agreements**  
28 **entered into on or after the effective date of this 2019 Act.**

29  

---

  
**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.