Senate Bill 370

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

SECTION 1. (1) An employer shall, within 72 hours of receiving a notice of an inspection from a federal agency compelling the employer to provide access to records of forms and any other documentation used by the employer to verify the identity and employment eligibility of the employees hired by the employer, notify the employer's employees of the upcoming inspection.

(2) The employer shall notify employees of an upcoming inspection by posting a notice in a conspicuous and accessible location, in English and in the language the employer typically uses to communicate with the employees. The notice shall include:

(a) A copy of the federal agency's notice of inspection received by the employer;

(b) The date on which the employer received the notice of inspection from the federal agency;

(c) The scope of the federal agency's inspection;

(d) Information describing the legal rights of an employee, regardless of an employee's citizenship status;

(e) The employer's obligations with respect to providing information within the scope of the federal agency's notice of inspection; and

(f) A list of community resources available to employees including, but not limited to:

(A) A list of legal aid service providers; and

(B) Community organizations that provide advocacy for immigrant and refugee workers.

(3) The Commissioner of the Bureau of Labor and Industries shall:

(a) Generate and make available on the Bureau of Labor and Industries website a template for a notice that employers may use to comply with the requirements of subsection (2)
(b) Provide consultation, technical assistance and training to employers in such a manner as the commissioner considers appropriate.

(4) An employer may refuse to consent to the entry of a federal agency into any non-public areas of the employer's place of business unless the federal agency presents a judicial search warrant to the employer.

(5) The commissioner may adopt rules for implementing the requirements of this section, including but not limited to rules that:

(a) Specify which legal rights must be included in an employer's notice under subsection (2) of this section;

(b) Establish guidelines that employers may use to prepare employees for interactions with agents or law enforcement officers during an inspection described in subsection (1) of this section; and

(c) Provide instruction to employers regarding an employer's right to consent or to refuse to consent to the federal agency's inspection.

(6) As used in this section, “employee” and “employer” have the meanings given those terms in ORS 652.210.