

SB 692 A STAFF MEASURE SUMMARY

Carrier: Sen. Manning Jr

Senate Committee On Labor and Business

Action Date: 03/09/23

Action: Do pass with amendments and requesting subsequent referral to Ways and Means be rescinded. (Printed A-Eng.)

Vote: 5-0-0-0

Yeas: 5 - Bonham, Hansell, Jama, Patterson, Taylor

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

Prepared By: Whitney Perez, LPRO Analyst

Meeting Dates: 2/7, 3/9

WHAT THE MEASURE DOES:

Defines "state agency." Requires state agencies to use information system maintained by Oregon Department of Administrative Services (DAS) to track internal investigations of workplace discrimination or harassment concerning employees. Specifies minimum capabilities of information system. Directs DAS to develop formal training program for state agency personnel who investigate internal allegations of workplace discrimination and harassment concerning employees of state agencies. Establishes minimum requirements of training program.

ISSUES DISCUSSED:

- Role of Bureau of Labor and Industries in investigating certain workplace discrimination allegations
- Workplace safety impact on workforce retention
- Secretary of State audit of Oregon Department of Administrative Services in 2020

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

ORS Chapter 659A encompasses Oregon laws on unlawful employment discrimination. The Bureau of Labor and Industries (BOLI) is authorized to prevent unlawful discrimination, including the power to conduct investigations, take evidence, and the like. Employees may file complaints with BOLI alleging an unlawful employment practice or discrimination. The Bureau of Labor and Industries must cease an investigation into an unlawful employment discrimination claim once a civil action has been filed alleging the same matters that form the basis of the complaint.

The Oregon Department of Administrative Services (DAS) maintains a Human Resource Policy section. In part, the Human Resource Policy section provides consulting services to state agency human resource offices and works with other state agencies to create or revise human resource policies. In February 2019, DAS began using a Human Resource Information System known as Workday Oregon (Workday). Workday provides a variety of personnel management tools such as payroll and financial management. In 2020, the Secretary of State's Office released a report finding that DAS needed to improve oversight of workplace discrimination and harassment within state agencies.

Senate Bill 692 A requires state agencies to use an information system maintained by DAS to track internal investigations of workplace discrimination or harassment concerning employees and directs DAS to develop a formal training program for personnel who investigate internal allegations of workplace discrimination and harassment.