

A-Engrossed
House Bill 3028

Ordered by the House April 5
Including House Amendments dated April 5

Sponsored by Representative NERON, Senator GORSEK; Representatives CHAICHI, GRAYBER, HUDSON, NELSON, NOSSE, SOSA, Senators CAMPOS, PATTERSON (Presession 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.

Prohibits employer from requiring employee to use vacation, sick or annual leave for time spent by employee as appointed member of [*board, commission, council or committee created by statute*] **state board or commission. Provides that protections apply to employee who has provided employer with at least 21 days' advance notice of time employee needs to spend in service of state board or commission.**

Authorizes employee alleging violation to file complaint with Commissioner of Bureau of Labor and Industries.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to employment protections; and prescribing an effective date.

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

4 **SECTION 1. Section 2 of this 2023 Act is added to and made a part of ORS chapter 659A.**

5 **SECTION 2. (1) As used in this section, "state board or commission" means a state board**
6 **or commission referred to in ORS 292.495.**

7 **(2) It is an unlawful employment practice if an employer discharges, threatens to dis-**
8 **charge, intimidates or coerces any employee by reason of the employee's service or scheduled**
9 **service as an appointed member of a state board or commission.**

10 **(3) Subject to subsection (4) of this section, an employer may not require that an em-**
11 **ployee use vacation leave, sick leave or annual leave for time spent by the employee in ser-**
12 **vice as an appointed member of a state board or commission, and the employer shall allow**
13 **the employee to take leave without pay for time spent by the employee in service as an ap-**
14 **pointed member of the state board or commission.**

15 **(4) The protections provided under subsection (3) of this section apply to an employee**
16 **who has provided the employer with at least 21 days' advance notice of any time the em-**
17 **ployee needs to spend in service as an appointed member of a state board or commission.**

18 **(5) This section may not be construed to alter or affect an employer's policies or agree-**
19 **ments with employees concerning employees' wages during times when an employee serves**
20 **or is scheduled to serve as an appointed member of a state board or commission.**

21 **(6) An employee who alleges a violation of this section may file a complaint with the**
22 **Commissioner of the Bureau of Labor and Industries in the manner provided by ORS**
23 **659A.820.**

24 **SECTION 3. This 2023 Act takes effect on the 91st day after the date on which the 2023**

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 **regular session of the Eighty-second Legislative Assembly adjourns sine die.**

2
