

A-Engrossed House Bill 3471

Ordered by the House April 7
Including House Amendments dated April 7

Sponsored by Representatives ANDERSEN, GRAYBER, Senator TAYLOR; Representatives BYNUM, NELSON, NOSSE

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 entering] **Makes unlawful employment practice for employer to request or require worker to enter** into settlement or agreement disposing of workers' compensation claim that bars worker from seeking further employment with employer unless such provision is first requested by worker.

Makes violation enforceable by Commissioner of Bureau of Labor and Industries or by civil action.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to employment provisions in agreements disposing of workers' compensation claims; and
3 declaring an emergency.

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

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

6 **SECTION 2. (1) As used in this section, "worker" means a worker who has filed a**
7 **workers' compensation claim pursuant to ORS chapter 656.**

8 **(2) It is an unlawful employment practice for an employer to request or require a worker**
9 **to enter into a settlement agreement, disputed claim settlement, claim disposition agreement**
10 **or any other settlement or agreement disposing of all or part of a worker's claim for**
11 **workers' compensation under ORS chapter 656, that contains a provision barring the worker**
12 **from seeking further employment, reemployment or reinstatement with the employer, unless**
13 **such provision is first requested by the worker.**

14 **(3) A worker may file a complaint under ORS 659A.820 for a violation of subsection (2)**
15 **of this section and may bring a civil action under ORS 659A.885 and recover a civil penalty**
16 **of up to \$5,000 and relief as provided by ORS 659A.885 (1) to (3).**

17 **SECTION 3. Section 2 of this 2023 Act applies to a settlement agreement, disputed claim**
18 **settlement, claim disposition agreement or any other settlement or agreement disposing of**
19 **all or part of a worker's claim requested, required or entered into on or after the effective**
20 **date of this 2023 Act.**

21 **SECTION 4. This 2023 Act being necessary for the immediate preservation of the public**
22 **peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect**
23 **on its passage.**

24

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.