

HOUSE AMENDMENTS TO HOUSE BILL 3789

By COMMITTEE ON LABOR AND WORKPLACE STANDARDS

April 4

1 On page 1 of the printed bill, delete lines 4 through 25 and delete page 2 and insert:

2 **“SECTION 1. (1) As used in this section:**

3 **“(a) ‘Designated representative’ has the meaning given that term in ORS 243.796.**

4 **“(b) ‘Exclusive representative’ and ‘labor organization’ have the meanings given those**
5 **terms in ORS 243.650.**

6 **“(c) ‘Falsely impersonate a union representative’ means to use fraud or misrepresen-**
7 **tation to make a verbal or written communication that purports to be authorized or other-**
8 **wise approved by a labor organization but that has not, in fact, been authorized or approved**
9 **by the labor organization.**

10 **“(d) ‘Fraud or misrepresentation’ has the meaning given that term in ORS 677.188.**

11 **“(e) ‘Union representative’ means:**

12 **“(A) An exclusive representative.**

13 **“(B) A designated representative.**

14 **“(C) An employee or staff member of a labor organization.**

15 **“(D) A member of a labor organization who serves in an elected or appointed position**
16 **within the union.**

17 **“(2) It is unlawful for any person to falsely impersonate a union representative.**

18 **“(3) To protect public employees who are members of a labor organization from fraud or**
19 **misrepresentation, including the false impersonation of a union representative, a labor or-**
20 **ganization shall have, as a matter of internal governance, the sole authority to identify and**
21 **designate the union representatives associated with the labor organization.**

22 **“(4)(a) A union representative alleging a violation of this section may bring a civil action**
23 **in a court of appropriate jurisdiction to obtain damages.**

24 **“(b) In addition to and not in lieu of any other damages that may be claimed, a plaintiff**
25 **shall receive liquidated damages in an amount of \$6,250 per incident in any action in which**
26 **the plaintiff establishes that the defendant falsely impersonated a union representative.”.**

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