

# House Bill 3789

Sponsored by Representatives PHAM H, SOSA, NERON, ANDERSEN; Representatives CHOTZEN, FRAGALA, GOMBERG, HUDSON, MUNOZ, WALTERS, Senators BROADMAN, FREDERICK, LIEBER, PATTERSON, PHAM K, PROZANSKI, REYNOLDS

## 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 **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act makes it unlawful for a person to falsely impersonate a union representative. The Act says that a union can keep a list of union representatives. The Act sets fines for breaking the law. The Act allows a union to file a lawsuit against a person who breaks the law. (Flesch Readability Score: 62.8).

Makes it unlawful to falsely impersonate a union representative.

Provides a cause of action for a union representative alleging a violation of the prohibition against falsely impersonating a union representative.

Authorizes civil penalties for violations.

Permits labor organizations to maintain a list of verifiable union representatives.

## A BILL FOR AN ACT

1  
2 Relating to union misrepresentation.

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

4 **SECTION 1. Section 2 of this 2025 Act is added to and made a part of ORS 243.650 to**  
5 **243.809.**

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

7 (a) **"Designated representative" has the meaning given that term in ORS 243.796.**

8 (b) **"Falsely impersonate a union representative" means to use fraud or misrepresen-**  
9 **tation to obtain, possess, transfer, create, utter or convert to a person's own use the identity**  
10 **of a union representative or otherwise hold oneself out to be a union representative.**

11 (c) **"Fraud or misrepresentation" has the meaning given that term in ORS 677.188.**

12 (d) **"Union representative" means:**

13 (A) **An exclusive representative.**

14 (B) **A designated representative.**

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

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

17 (3) **To protect public employees who are members of a labor organization from fraud or**  
18 **misrepresentation, including the false impersonation of a union representative, a labor or-**  
19 **ganization that is the exclusive representative may maintain and make accessible to public**  
20 **employees and exclusive representatives a list identifying union representatives associated**  
21 **with the labor organization. The list may include names of union representatives and any**  
22 **other relevant information sufficient to verify whether a person is actually a union repre-**  
23 **sentative.**

24 (4) **A person that violates this section is subject to a civil penalty in an amount not to**  
25 **exceed \$\_\_\_\_\_ for each separate instance of a violation of this section. Civil penalties under**

**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 **this subsection shall be:**

2 **(a) Imposed by the Employment Relations Board as provided in ORS 183.745.**

3 **(b) Deposited in the Employment Relations Board Administrative Account.**

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

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

9

---