

CIVIL RIGHTS DIVISION

Bureau of Labor and Industries
Brad Avakian, Commissioner



WHEN SHOULD YOU CONTACT THE CIVIL RIGHTS DIVISION?

As soon as you believe you have suffered unlawful discrimination in employment, housing, public accommodation (e.g., a store or restaurant) or a vocational/career school. In most cases, you have 365 days from the alleged discriminatory act to file a complaint. For opposing health and safety issues, you have 90 days to file a complaint. Delay will mean loss of legal rights.

WHOM MAY YOU CONTACT IF YOU BELIEVE YOU HAVE BEEN DISCRIMINATED AGAINST?

Civil Rights Division Intake Office: 800 NE Oregon St., #1045; Portland, Oregon 97232
(971) 673-0764 crdemail.boli@state.or.us.

WHO IS COVERED?

Anyone who believes that he or she has been denied hire, terminated, or treated differently because of a protected class. A list of protected classes is on the other side of this page.

WHAT WILL HAPPEN?

- If you contact the Oregon Civil Rights Division, you may be sent a questionnaire to fill out, or a person with the intake section may return your call and speak with you. You may be asked to complete a questionnaire or other documents. Alternately, you can print a questionnaire from our website, fill it out and mail it to us. We will use these documents to determine whether or not there is a basis for filing a complaint or if your complaint should be referred to a different agency.
- If there is a basis for filing, a complaint will be prepared by the Division. The complaint becomes official when you return the complaint to the Division with a properly notarized signature.
- After a notarized complaint is received, the Division will send notification letters to all parties named on the complaint. An investigator will be assigned and will interview you. There may be an attempt to settle the complaint. If a settlement is not made, an investigation will be conducted, based on information available to the investigator. In some cases, the investigation is transferred to the Federal Equal Employment Opportunities Commission (EEOC).
- When a case closes, the Division sends notification letters to the parties involved. In most cases, the bureau has up to one year to complete an investigation.
- The person filing the complaint always has the right to withdraw the complaint.

WHAT HAPPENS WHEN UNLAWFUL ACTION IS SHOWN?

- The Division may attempt to negotiate a settlement among all the parties to the complaint.
- The Division may also decide to take the case to an administrative hearing. The person filing the complaint may choose to file a lawsuit.
- After an administrative hearing, the Labor Commissioner may:
 - Order the respondent to pay economic damages such as lost wages and benefits.
 - Order the respondent to pay non-economic damages, such as emotional distress, and/or
 - Issue a cease and desist order to stop the discriminatory practice.
 - Order the respondent to pay civil penalties for violating the law.

WHAT ELSE?

- Filing a complaint is free of charge. Complaints on file with the Division become public record.
- Information in the Division files becomes public record at the time the case closes. Anyone making a request in writing for a copy of a file is entitled to receive information from that file. The Division charges for copies of closed files. Further information on copies of files is available from the Portland office.

For more information about the Civil Rights Division and its process, visit our website: www.oregon.gov/boli.

This information is available in an alternate format



PROTECTED CLASSES IN EMPLOYMENT IN THE STATE OF OREGON

Race/Color*
National Origin*
Sex (includes pregnancy-related conditions)*
Sexual Orientation*
Gender Identity*
Injured Worker status (retaliation/reinstatement issues)
Religion*
Retaliation for engaging in protected activities (see below)
Association with a Protected Class*
Age*
Physical or Mental Disability*
Marital Status*
Family Relationship*
Veteran's Preference

PROTECTED ACTIVITIES WE ENFORCE

Oregon Family Leave Act
Domestic Violence Leave
Leave to Serve in State Organized Militia
Leave to Donate Bone Marrow
Leave to Serve in the State Legislature
Testifying before the State Legislature
Testifying at Employment Department Hearings
Opposing &/or Reporting Health or Safety Issues
Reporting Health Care Violations
Access to Employer-owned Housing
Use of Lawful Tobacco Products on Off-duty Hours
Right to File a Lawsuit, Testify in Criminal or Civil Proceedings or Report Criminal Activities (Whistleblowing)
Prohibition on Employer Requiring Medical Release unless Employer pays out of pocket costs.
Prohibition on Genetic Screening and Brainwave Testing
Prohibition on Polygraph Exams
Limits on Breathalyzer and Blood Alcohol testing
Expunged Juvenile Record
Garnishment of wages for child support

ADDITIONAL PROTECTED CLASSES UNDER SOME CITY AND COUNTY ORDINANCES

Source of Income*
Familial Status*

*Protected class also in Housing, Public Accommodation and Vocational/Career Schools

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