



Press Release

For Immediate Release

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Same-sex couple files formal civil rights complaint with BOLI against Gresham bakery

"We are committed to a fair, through investigation," says Labor Commissioner Avakian

Portland, OR—A same-sex couple has filed an anti-discrimination complaint with the Oregon Bureau of Labor and Industries (BOLI) against a Gresham bakery, Sweet Cakes by Melissa, for allegedly refusing service based on sexual orientation.

BOLI will conduct an investigation to determine if the business violated the **Oregon Equality Act of 2007** protecting the rights of gays, lesbians, bisexual and transgender Oregonians in employment, housing and public places.

Under Oregon law, Oregonians cannot be denied service based on sexual orientation. The law provides an exemption for religious organizations and schools, but does not allow private business owners to discriminate based on sexual orientation, just as they cannot legally deny service based on race, sex, age, veteran status, disability or religion.

"We are committed to a fair and thorough investigation to determine whether there's substantial evidence of unlawful discrimination," said Avakian. **"For businesses seeking to navigate Oregon's equality law, we can be a resource for them. We can answer emails or phone calls within 24-hours to help them understand what the rules are so that they can avoid potential violations in the first place."**

BOLI investigations are statutorily required to conclude within a year. If investigators find substantial evidence, the bureau may bring formal charges if parties cannot reach a settlement through conciliation. The case then moves to the Administrative Prosecution Unit, responsible for processing the contested civil rights division cases pursuant to the Administrative Procedures Act (APA) and BOLI contested case hearing rules.

In December 2012, the Administrative Prosecution Unit began double-setting cases for hearing, similar to a circuit court docketing, to enable parties to achieve settlements or final dispositions more quickly.

Later this summer, the bureau expects a ruling in the Portland P Club case involving the same civil rights public accommodations law. In that case, the potential violation stems from allegations of a North Portland bar refusing service to patrons based on gender identity. The bureau has also previously used the statute to pursue public accommodations violations such as a black customer being denied service by a fast food restaurant, a disabled Oregonian denied access night club based on physical disability, and black patrons being refused service to an Oregon lounge.

BOLI protects all Oregonians from unlawful discrimination, investigating allegations of civil rights violations in workplaces, career schools, housing and public accommodations. The labor commissioner can issue cease and desist orders, award both economic and non-economic damages and assess civil penalties for violations of civil rights law.

Copies of the complaint are available upon request. For more information about BOLI's efforts to protect workplaces and support Oregon employers, visit <http://www.oregon.gov/BOLI>.

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