

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Bureau of Labor and Industries
Agency and Division

839
Administrative Rules Chapter Number

Amending and adopting rules to implement newly enacted whistleblower protection regarding election laws

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of:

Amendment and Adoption of Rules in 839-010 to Implement Whistleblower Protection for Reporting Possible Violations of Election Laws

Statutory Authority: ORS 659A.805

Other Authority:

Stats. Implemented: S.B. 148, 77th Leg., Reg. Session (Or. 2013)

Need for the Rule(s):

Amendments clarify the scope and purpose of the rules in correctly stating the provisions of the ORS enforced by the Bureau of Labor and Industries. New rules 839-010-0300, 839-010-0305, 839-010-0310 implement newly enacted legislation.

Documents Relied Upon, and where they are available:

Senate Bill 148, 77th Leg., Reg. Session (Or. 2013), available at <https://olis.leg.state.or.us/liz/2013R1/Measures/list/>

Fiscal and Economic Impact:

No fiscal or economic impact is anticipated as a result of the proposed amendments. The newly enacted law that the proposed rules would implement are in current statutes and fiscal or economic impact, if any, would result from those laws.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):
No fiscal or economic impact is anticipated from the proposed rule amendments.

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small businesses and types of business and industries with small businesses subject to the rule: Oregon discrimination laws apply to all businesses. The Employment Department estimates there are 107,103 small businesses in Oregon.. However, there is no anticipated cost of compliance.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

No new reporting, recordkeeping, or other administrative costs of compliance are required or anticipated.

c. Equipment, supplies, labor and increased administration required for compliance:

No additional equipment, supplies, labor, or increased administration are required or anticipated under the proposed rules.

d. How were small businesses involved in the development of this rule?

Small business representatives are represented on BOLI's stakeholder mailing list.

Administrative Rule Advisory Committee consulted?: No.

If not, why?:

The proposed rule amendments and adoptions would implement statutory protections which BOLI has no discretion not to enforce or to change.

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10/15/2013

Signature

Printed name

Date

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