

DIVISION 10

WHISTLEBLOWING DISCLOSURES [*BY EMPLOYEES*]

839-010-0000

Purpose and Scope

(1) The Civil Rights Division of the Oregon Bureau of Labor and Industries enforces the provisions of ORS **441.174, 652.355, 653.060, 659A.199,** 659A.200 to 659A.233 **and S.B. 148, 77th Leg., Reg. Session (Or. 2013),** [652.355, and 653.060] prohibiting discrimination [*against employees*] based on whistleblowing disclosures or activities that are described in the statutes. These rules apply to all such complaints and inquiries received on or after the effective date of these rules.

(2) The purpose of these rules is to clarify the provisions of the statutes.

(3) In accordance with ORS 659A.820, an individual claiming a violation of ORS **441.174, 652.355, 653.060, 659A.199,** 659A.200 to 659A.233[, 652.355, 653.060,] or these rules, may file a complaint with the Civil Rights Division, as provided in OAR 839-003-0025.

Stat. Auth.: ORS **652.355, 653.060, 659A.221,** 659A.805, [& 659A.221, 652.355(2) & 653.060(2)]

Stats. Implemented: ORS **441.174, 652.355, 653.060, 659A.199,** 659A.200 - 659A.233, **S.B. 148, 77th Leg., Reg. Session (Or. 2013),** [652.355 & 653.060]

Whistleblowing Disclosures Regarding Violations of Election Laws

839-010-0300

Application

These rules apply to a person who pays money or offers other valuable consideration for obtaining signatures of electors on a state initiative, referendum, or recall petition or on a prospective petition of a state measure to be initiated.

Stat. Auth.: ORS 659A.805

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

839-010-0305

Unlawful Employment Practice

In addition to the conduct prohibited in ORS 659A.199, it is an unlawful employment practice for a person described in OAR 839-010-0300 to discriminate

or retaliate against another person with respect to hire or tenure, compensation or other terms, conditions or privileges of employment for the reason that the person has in good faith reported information that the person believes is evidence of a violation of a state or federal election law, rule or regulation.

Stat. Auth.: ORS 659A.805

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

839-010-0310

Inspection

1. The Commissioner of the Bureau of Labor and Industries may inspect the accounts of a chief petitioner of an initiative or referendum petition relating to a state measure who pays any person money or other valuable consideration to obtain signatures on the petition or prospective petition, under reasonable circumstances at any time before the deadline for filing signatures on the petition or during the period specified for retention of the accounts, as provided in S.B. 148, 77th Leg., Reg. Session (Or. 2013) Section 5.

2. The right of inspection may be enforced by a writ of mandamus issued by any court of competent jurisdiction.

Stat. Auth.: ORS 659A.805

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