

Secretary of State  
Certificate and Order for Filing  
**PERMANENT ADMINISTRATIVE RULES**

I certify that the attached copies\* are true, full and correct copies of the PERMANENT Rule(s) adopted on February 7, 2012 by the

Bureau of Labor and Industries	Date prior to or same as filing date 839
Agency and Division	Administrative Rules Chapter Number
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to become effective February 8, 2012. Rulemaking Notice was published in the November 2011 Oregon Bulletin.\*\*  
Date upon filing or later Month and Year

**RULE CAPTION**

Conforms civil rights rules to provisions of HB 2036, HB 2828 and HB 3482 (2011).

**Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.**

**RULEMAKING ACTION**

List each rule number separately (000-000-0000)

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.

**ADOPT:** 839-005-0075, 839-005-0130, 839-005-0135, 839-009-0364

**AMEND:** 839-005-0160, 839-005-0170, 839-009-0325, 839-009-0330, 839-009-0340, 839-009-0345, 839-009-0355, 839-009-0360, 839-009-0362, 839-009-0365

**RENUMBER:** 839-005-0033 to 839-005-0125

Stat. Auth.: ORS 659A.805

Other Auth.: HB 2036, HB 2828, HB 3482, Oregon Legislative Assembly 2011.

Stats. Implemented: HB 2036 (corrects references that relate to employment to refer only to employment-related disability statutes; allows BOLI to enforce law providing protected leave to attend a criminal proceeding; clarifies that an employer may consider the credit history of applicants for public safety officer employment), HB 2828 (creates unlawful employment practice if employer ceases to provide insurance during period employee is serving as juror), and HB 3482 (adds "harassment" to Crime Victim leave & discrimination provisions), Oregon Legislative Assembly 2011; ORS 659A.112 - 659A.139; ORS 659A.270 - 659A.290; ORS 659A.303; ORS 659A.855; ORS 659A.885.

**RULE SUMMARY**

The new rules would implement HB 2036, which 1) corrects references in ORS 659A.106 that relate to employment to refer only to employment-related disability statutes (ORS 659A.112-659A.139); 2) allows BOLI to enforce law providing protected leave to attend a criminal proceeding (ORS 659A.194(2)); and 3) clarifies that an employer may consider the credit history of applicants for public safety officer employment and clarifies exceptions to the prohibition on the use of credit history information in employment.

The new rules would implement provisions of HB 2828, creating an unlawful employment practice if an employer who employs 10 or more people ceases to provide health, disability, life or other insurance during a period in which the employee is serving or is scheduled to serve as juror and the employee notified the employer of election to have coverage continue.

The new rules would implement provisions of HB 3482, adding harassment to crime victim protections.



Authorized Signer	Brad Avakian	February 7, 2012
	Printed name	Date

\*With this original, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules. \*\*The Oregon Bulletin is published the 1st of each month and updates rules found in the OAR Compilation. For publication in Bulletin, rule and notice filings must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, when filings are accepted until 5:00 pm on the preceding workday.

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