



Press Release

For Immediate Release

August 30, 2013

CONTACT: Charlie Burr, (971) 673-0788 work, (503) 913-5407 cell.

BOLI Final Order: P Club discrimination violated Oregon law

Charges represent first commissioner's complaint filed under landmark 2007 civil rights law

Portland, OR—A North Portland bar has been found in violation of the **Oregon Equality Act of 2007** for unlawful discrimination.

Under Oregon law, Oregonians may not be denied full and equal 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, disability or religion.

Last year, investigators with the Bureau of Labor and Industries (BOLI) found substantial evidence of unlawful discrimination, including phone messages from bar owner Chris Penner asking a group of transgender patrons to stop visiting the establishment because he didn't want the P Club known as a "tranny bar" or "gay bar".

The BOLI Final Order will direct the respondent to compensate 11 members of the T Girls with amounts ranging from \$20,000 to \$50,000 per aggrieved person for emotional, mental and physical anguish as a result of their treatment.

"Oregonians deserve to be treated fairly under the law," said Oregon Labor Commissioner Brad Avakian. **"For businesses seeking to understand the law, we can help them navigate the Oregon Equality Act and other existing state and federal protections. Our technical assistance for business program can field their questions and help them avoid potential violations in the first place."**

The charges are the first commissioner's complaint filed under the landmark 2007 Oregon Equality Act. Oregon law authorizes the Labor Commissioner to file a complaint on behalf of the state when he has reason to believe that violations of civil rights law are occurring in a place of public accommodation.

Since 2007, Oregonians have filed 11 complaints of unlawful discrimination in public places under the 2007 equality law. After the agency's investigations, BOLI found no substantial evidence in five of the complaints. Parties negotiated settlements in three cases, with one case (Sweet Cakes) still being reviewed by BOLI investigators. In total, the agency has received 182 Oregon Equality Act employment, housing and public accommodations complaints, finding no substantial evidence in 103 of the investigations.

The P Club Final Order cites the standard of what constitutes a denial of service from an earlier BOLI discrimination case in which a black woman was found to have been denied full and equal access to a place of public accommodation (In the Matter of The Pub, 6 BOLI 270 (1987)).

BOLI protects all Oregonians from unlawful discrimination, investigating allegations of civil rights violations in workplaces, career schools, housing and public accommodations, and enforces compliance with state laws relating to wages, hours, and terms and conditions of employment. 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.

For more information about BOLI's efforts to protect workplaces and the civil rights of all Oregonians, visit <http://www.oregon.gov/BOLI>. A copy of the Blachana (dba Twilight Room Annex aka The P Club) BOLI Final Order is available upon request.

###