



For Immediate Release

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CONTACT: Saul Hubbard, 503-805-3853

BOLI and the Oregon Legislature reach settlement agreement to resolve civil rights complaint

The Oregon Bureau of Labor and Industries on Tuesday announced a settlement with the state Legislature that will provide \$1.1 million to eight victims of sexual harassment and hostile workplace behavior at the Capitol.

The agreement also ensures that the Legislature will swiftly put into place new systems for reporting and handling future complaints of workplace harassment, as well as for training everyone who works at the Capitol about prohibited conduct.

The settlement fully resolves the civil rights complaint initiated by BOLI last summer. The agency ultimately found substantial evidence of unlawful employment practices by the state assembly over several years.

BOLI Commissioner Val Hoyle said that the settlement meets the three criteria she sought for any potential agreement: justice for the victims, accountability for the Legislature, and the establishment of a system to better respond to future workplace complaints.

“This settlement ensures that the injured parties have their harms addressed,” Hoyle said. “It puts in place requirements and processes that, when fully implemented, will improve the Capitol as a workplace and will provide appropriate support to workers who may have issues in the future”.

Hoyle noted that the settlement includes damages for individuals who could not have brought their claims in court, due to the lapsed statute of limitations.

“Those victims could only have had their harms addressed through a BOLI Commissioner’s complaint,” Hoyle said. “I’m pleased that we were able to provide them access to justice.”

Under the terms of the settlement agreement:

- The state Legislature will pay a combined \$1.1 million in non-economic damages to eight aggrieved parties who worked at the Capitol in a variety of roles but were not elected officials. The largest individual damages award is \$415,000. The names and other personal identifying information of the aggrieved individuals that are party to the settlement will not be released publicly in order to protect their privacy.
- The Legislature will pay state Senator Sara Gelser \$26,612 to reimburse her for attorney’s fees and other out-of-pocket expenses. These were the only monetary damages sought by Sen. Gelser.

- All aggrieved parties involved in this settlement have agreed to release the Legislature of any future claims or litigation. That includes the civil lawsuit that was filed last month in Marion County Circuit Court.
- The offices of Legislative Counsel and the Legislative Administration will not handle any future complaints of discrimination and sexual harassment at the Legislature. The Legislature must hire an outside attorney, subject to BOLI review and input, to handle any complaints filed until its new Equity Office is established.
- The Legislature will adopt the Oregon Law Commission's recommendations for improving its workplace protections. Those recommendations include the creation, by this summer, of a new Equity Office to handle workplace harassment complaints. New processes will be established for training about workplace behavior, for handling complaints and for protecting potential victims through that new office. If new systems and structures aren't put in place, BOLI retains the right to file formal charges.
- The Legislature will not engage in any unlawful retaliation or discrimination against any aggrieved persons for participating in the investigation of the BOLI complaint.
- BOLI will dismiss its contempt of court proceeding against the Legislature in Multnomah County Circuit Court, which was linked to the underlying complaint. The Legislature will pay BOLI \$200,000 to partially cover the agency's outside attorneys' fees in the contempt proceeding.
- The agency also acknowledges that its complaint process in this instance was politicized in a manner that inhibited both sides from participating thoroughly in the investigation last year. Commissioner Hoyle is committed to strengthening an atmosphere of impartiality, fairness, and trust to all who participate in agency investigatory processes.

A copy of the settlement agreement is attached. The initial civil rights complaint and the substantial evidence determination are public documents available upon request.