



Oregon

Governor Kate Brown

Department of Administrative Services

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MEMORANDUM**TRANSMITTAL 203**

To: Agency Heads and Agency Human Resources Directors

From: Madilyn Zike, Chief Human Resources Officer

Date: April 23, 2018

Subject: Policy Update – Discrimination and Harassment Free Workplace

We have made changes to the Discrimination and Harassment Free Workplace 50.010.01. Please share information with staff in your agency.

The following summarizes the changes to the policy;

Update to 50.010.01

Changes to applicability section - this section has been expanded to include board and commission members, volunteers, and others working in an agency, unless this policy conflicts with an agency's collective bargaining agreement.

Changes to definitions section -

The definition of "Complainant" has been changed to include person or persons that witness or observe discrimination, workplace harassment or sexual harassment.

The definition of “Higher Standard” has been clarified to help managers and supervisors understand the expectation that they be proactive in creating and maintaining a discrimination and harassment free workplace. Managers and supervisors must exercise appropriate measures to prevent and promptly correct any discrimination, workplace harassment or sexual harassment they know about or should know about.

A definition of “Volunteer” has been added. For the purposes of this policy a volunteer includes any individual that is performing work on behalf of Oregon state government or a state agency and is not paid for their service. This may include interns, externs, and other categories of unpaid worker.

Section (1)(c) has been changed to include DAS CHRO as a possible entity to which complaints of harassment or discrimination may be reported.

Section (1)(c) has been changed to eliminate the one year time limitation for filing a complaint of harassment or discrimination.

Section (1)(e) has been updated to reflect a change in federal law that replaces the Workforce Investment Act (WIA) with the Workforce Innovation and Opportunity Act (WIOA)

Section (1)(h) the prohibition against retaliation has changed to from prohibiting retaliation against employees that bring forward a complaint or participates in an investigation to prohibiting retaliation against anyone that bring forward a complaint or participates in an investigation.

Section (1)(i) has been changed to include mandatory training upon initial hire and subsequent annual training.

Please share this information with staff in your agency.

Questions about the policy should be directed to CHRO Policy Box at CHRO.Policy@oregon.gov.