

**2010 OREGON LEGISLATIVE SPECIAL SESSION**

**Labor and Employment Laws**

The 2010 Oregon legislative special session has ended. What follows is a summary analysis of the new laws impacting Oregon employers. If you are interested in reading the full-text of a particular bill, follow the link provided. For more information, please send an e-mail to our Labor and Employment attorneys, Andrew Lewis ([alewis@hershnerhunter.com](mailto:alewis@hershnerhunter.com)) and Amanda Walkup ([awalkup@hershnerhunter.com](mailto:awalkup@hershnerhunter.com)).

Bill	Summary	Status
<a href="#"><u>HB 3686</u></a>	This bill repeals provisions of current Oregon law prohibiting public school teachers from wearing religious clothing while engaged in their duties as a teacher. The bill includes the difficulty or expense of maintaining a religiously neutral work environment among factors to be considered when determining if a religious accommodation creates an undue hardship for the employer that is a school district, education service district or public charter school.	HB 3686 was signed into law and will take effect on July 1, 2011.
<a href="#"><u>SB 996</u></a>	This bill expands protections of public employees under the Whistleblower Law to include protection from disciplinary action if the employee whistleblows on a topic related to the state of Oregon or a state agency to include elected officials at any level of government, including local officials, city officials and county commissioners.	SB 996 was signed into law and took effect on March 4, 2010.
<a href="#"><u>SB 1006</u></a>	This bill modifies the circumstances under which the owner of a public building or health club is required to have an automated external defibrillator on the premises. A similar bill, <a href="#"><u>SB 1033</u></a> , was passed requiring schools to have an automated external defibrillator on the premises.	SB 1006 was signed into law and took effect on March 4, 2010.
<a href="#"><u>SB 1045</u></a>	This bill makes it unlawful for an employer to use an applicant or employee's credit history when making employment decisions. Exemptions include federally insured banks and credit unions, employers that are required by law to use credit history for employment purposes, employers of public safety officers, and when it is a bona fide occupational qualification for employers to use such information.	SB 1045 was signed into law and took effect on March 29, 2010.

*This summary provides general information and should not be construed as legal advice or a legal opinion on any specific facts or circumstances. If you have specific legal questions, you are urged to consult with your attorney concerning your own situation.*

**The following employment related bills were introduced in the 2010 Oregon legislative session but were not passed into law.**

<b>Bill</b>	<b>Summary</b>	<b>Comment</b>	<b>Status</b>
<a href="#"><u>HB 3653</u></a>	HB 3653 would have modified certain definitions and exceptions prohibiting an employer from taking an adverse employment action against an employee who declines to attend a meeting or participate in communications concerning the employer's opinion about religious or political matters. HB 3653 prohibits an employer from penalizing an employee who declines to participate in any such meeting or communication, and modifies the damages available to an employee in a civil action.	HB 3653 seeks to modify SB 519 which passed in the 2009 legislative session.	HB 3653 did not make it out of committee upon adjournment.
<a href="#"><u>SB 1011</u></a>	This bill requires certain employers to offer annual seasonal influenza vaccinations at no cost to licensed health care employees.		SB 1011 did not make it out of committee upon adjournment.

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*Brought to you by the Labor and Employment attorneys at Hershner Hunter, LLP*

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