

Secretary of State  
**NOTICE OF PROPOSED RULEMAKING\***  
A Statement of Need and Fiscal Impact accompanies this form.

Bureau of Labor and Industries, Civil Rights Division	839
Agency and Division	Administrative Rules Chapter Number
Marcia Ohlemiller	800 NE Oregon St. #1045, Portland, OR 97232
Rules Coordinator	971-673-0784
	Address Telephone

**RULE CAPTION**

Implementing statutory enactments regarding employment discrimination based on reporting of statutory or rule violations.

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

**RULEMAKING ACTION**

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

**AMEND:** 839-010-0100 and additional Division 10 administrative rules as necessary.

Stat. Auth.: ORS 659A.805

Other Auth.: HB 3162, Oregon Legislative Assembly 2009

Stats. Implemented: HB 3162 (amending the Oregon Whistleblower Law), Oregon Legislative Assembly 2009.

**RULE SUMMARY**

The proposed rules would amend the rules implementing the Oregon Whistleblower Law to include newly enacted amendments making discrimination and retaliation against an employee on the basis of good faith reporting of a state or federal statutory or rule violation an unlawful employment practice, and to clarify, edit and make housekeeping changes (HB 3162).

The agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

December 31, 2009

**Last Day for Public Comment** (Last day to submit written comments to the Rules Coordinator)

Amy K. Klare, Administrator, Civil Rights Division      November 13, 2009

Signature	Printed name	Date
*Rulemaking Notices published in the Oregon Bulletin 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, upon which the deadline is 5:00 pm the preceding workday. A public rulemaking hearing may be requested in writing by 10 or more people, or by an association with 10 or more members, within 21 days following the publication of the Rulemaking Notice in the Oregon Bulletin or 28 days from the date Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.		
		ARC 923-2005