

Senate Bill 388

Sponsored by Senator GEORGE; Representative KROFF

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Changes name of Employee Suggestion Awards Commission to Oregon Suggestion Awards Commission. Allows persons other than public employees to submit suggestions and receive awards.

Makes unlawful employment practice any employer action against public employee who submits suggestion to awards program.

A BILL FOR AN ACT

1
2 Relating to suggestion awards program; amending ORS 182.320, 182.330 and 659A.203; and repealing
3 ORS 182.310 and 182.360.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 182.320 is amended to read:

6 182.320. (1) There is established the [*Employee*] **Oregon** Suggestion Awards Commission con-
7 sisting of seven members appointed by the Governor. At least two members shall be public employ-
8 ees, as defined by ORS 243.650. The term of office is three years, beginning July 1. Members may
9 be reappointed. Members serve at the pleasure of the Governor.

10 (2) The members of the commission shall elect annually one member as chairperson. The Direc-
11 tor of the Oregon Department of Administrative Services shall appoint a state officer or employee
12 to serve as secretary of the [*employee*] suggestion program. The commission members shall serve
13 without compensation.

14 (3) The commission shall formulate, establish and maintain [*an employee*] **a** suggestion program
15 to encourage and reward meritorious suggestions [*by state employees*] that will promote effectiveness,
16 efficiency and economy in the performance of any function of state government **and that are pro-**
17 **vided by persons who do not have a personal or pecuniary interest in the suggestion other**
18 **than an award the person may receive as a result of the suggestion.**

19 (4) The secretary, with the approval of the commission, shall adopt rules necessary or appro-
20 priate for the proper administration of ORS [*182.310 to 182.360*] **182.320 and 182.330.**

21 **SECTION 2.** ORS 182.330 is amended to read:

22 182.330. (1) The [*Employee*] **Oregon** Suggestion Awards Commission shall make the final deter-
23 mination as to whether [*an employee*] **a** suggestion award will be made. Subject to **subsection (2)**
24 **of this section and** the rules adopted pursuant to ORS 182.320, the commission shall determine the
25 [*nature and extent*] **amount and type** of the award.

26 (2) **If the commission is able to determine the amount of cash savings in a year resulting**
27 **from a suggestion, the commission shall award a cash award to the person who made the**
28 **suggestion in the amount of 10 percent of the cash savings.**

29 (3) **If the commission decides to make a suggestion award, the commission shall certify**
30 **the amount or type of the award, the name of the person receiving the award and any**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 **amounts that must be paid by an agency benefitting from the implementation of the sug-**
 2 **gestion. If a suggestion benefits more than one agency, the commission shall determine the**
 3 **portion each agency shall contribute to the award.**

4 **(4) Awards made to persons as the result of the implementation of a suggestion shall be**
 5 **paid for by all agencies that benefitted from the suggestion in the manner provided by the**
 6 **commission by rule and in the amount certified by the commission under subsection (3) of**
 7 **this section.**

8 **SECTION 3.** ORS 659A.203 is amended to read:

9 659A.203. (1) Subject to ORS 659A.206, except as provided in ORS 659A.200 to 659A.224, it is
 10 an unlawful employment practice for any public employer to:

11 (a) Prohibit any employee from discussing, in response to an official request, either specifically
 12 or generally with any member of the Legislative Assembly or legislative committee staff acting un-
 13 der the direction of a member of the Legislative Assembly the activities of:

14 (A) The state or any agency of or political subdivision in the state; or

15 (B) Any person authorized to act on behalf of the state or any agency of or political subdivision
 16 in the state.

17 (b) Prohibit any employee from disclosing[, or take or threaten to take disciplinary action against
 18 an employee for the disclosure of] any information that the employee reasonably believes is evidence
 19 of:

20 (A) A violation of any federal or state law, rule or regulation by the state, agency or political
 21 subdivision;

22 (B) Mismanagement, gross waste of funds or abuse of authority or substantial and specific dan-
 23 ger to public health and safety resulting from action of the state, agency or political subdivision;
 24 or

25 (C) Subject to ORS 659A.212 (2), the fact that a person receiving services, benefits or assistance
 26 from the state or agency or subdivision, is subject to a felony or misdemeanor warrant for arrest
 27 issued by this state, any other state, the federal government, or any territory, commonwealth or
 28 governmental instrumentality of the United States.

29 **(c) Prohibit any employee from making suggestions under ORS 182.320 for the purpose**
 30 **of promoting effectiveness, efficiency and economy in the performance of any function of**
 31 **state government.**

32 [(c)] (d) Require any employee to give notice prior to making any disclosure or engaging in
 33 discussion described in this [section] **subsection**, except as allowed in ORS 659A.206 (1).

34 [(d)] (e) Discourage, restrain, dissuade, coerce, prevent or otherwise interfere with disclosure
 35 or discussions described in this [section] **subsection**.

36 (2) [No] A public employer [shall] **may not invoke or impose, or threaten to invoke or impose,**
 37 any disciplinary action against an employee for employee activity described in subsection (1) of this
 38 section or ORS 659A.212.

39 **SECTION 4. ORS 182.310 and 182.360 are repealed.**