

Secretary of State
NOTICE OF PROPOSED RULEMAKING HEARING*

A Statement of Need and Fiscal Impact accompanies this form.

Department of Consumer and Business Services/Oregon OSHA
Agency and Division

OAR 437
Administrative Rules Chapter Number

Sue Joye 350 Winter Street NE Salem OR 97301-3882
Rules Coordinator Address

503-947-7449
Telephone

RULE CAPTION

Increases time to file a retaliation complaint from 30 to 90 days.
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

Oregon Dept. of Fish & Wildlife Building
3406 Cherry Avenue NE
Commission Room – First Floor
Salem OR 97303

October 30, 2007 1:30 PM
Hearing Date Time

Location

Sue Joye
Hearings Officer

Auxiliary aids for persons with disabilities are available upon advance request.

RULEMAKING ACTION

AMEND: OAR 437-001-0295.

ORS 654.025(2) and 656.726(4)

Stat. Auth.

Other Authority

ORS 654.001 through 654.295

Stats. Implemented

RULE SUMMARY

Oregon OSHA proposes to amend OAR 437-001-0295 Discrimination Complaint, to reflect the changes made in House Bill 2259 passed into law by the 2007 Oregon Legislature. This action increases the time to file a retaliation complaint from 30 days to 90 days.

Please visit our web site www.orosha.org Click 'Rules & Laws' in the left vertical column and view our proposed, adopted, and final rules.

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.

/s/Michael D. Wood
Signature

November 2, 2007

Last Day for Public Comment

Last day to submit written comments to the Rules Coordinator

Michael D. Wood
Printed name

9/10/07

Date

*The *Oregon Bulletin* is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00pm on the preceding workday.

STATEMENT OF NEED AND FISCAL IMPACT

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Department of Consumer and Business Services/OR-OSHA

Agency and Division

OAR 437

Administrative Rules Chapter Number

In the Matter of:

Amending OAR 437-001-0295.

Rule Caption: (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

Increases time to file a retaliation complaint from 30 to 90 days.

Statutory Authority: ORS 654.025(2) and 656.726(4)

Stats. Implemented: ORS 654.001 through 654.295

Need for the Rule(s):

Changes passed into law with House Bill 2259 by the 2007 Oregon Legislature and declared an emergency. Changes effect OR-OSHA's Division 1, General Administrative Rules.

Documents Relied Upon, and where they are available:

House Bill 2259, 2007 Oregon Legislature

OAR 437-001-0295

Fiscal and Economic Impact, including Statement of Cost of Compliance:

This law gives an employee 90 days (increased from 30 days) to file a discrimination complaint with BOLI. There should be no incurred cost increase or savings.

How were small businesses involved in the development of this rule?

House Bill 2259 passed into law by the 2007 Oregon Legislature and declared an emergency.

Administrative Rule Advisory Committee consulted?: No.

If not, why?: House Bill 2259 was passed into law by the 2007 Oregon Legislature and declared an emergency.

/s/Michael D. Wood

Authorized Signer

Michael D. Wood

Printed name

9/10/07

Date