

● **CIVIL RIGHTS LAWS (*EMPLOYER-CONTROLLED HOUSING*)**

*STATUTORY CITATION:* Or. Rev. Stat. §§ 659A.250 – 659A.262

*GENERAL SUMMARY:* The state civil rights laws include provisions that (1) prohibit the restriction of access to employee housing controlled by employers, (2) limit the enforceability of employer rules governing the use and occupancy of employee housing, and (3) prohibit eviction or discrimination against an employee for exercising any rights granted by these provisions, which protect agricultural and non-agricultural employees without distinction.

*SPECIFIC TERMS AND CONDITIONS*

**ACCESS RIGHTS** — It is illegal for an employer to restrict access by government officials, medical doctors, education providers, or health care officials, or by the invited guests of a resident, to any housing owned, rented or controlled by an employer where employees are residing. The term "access" does not include the right to enter an individual employee's residence unless a member of the household consents to such entry, nor does it include the right of a visitor to use services provided by the employer for the exclusive use of employees. Invited persons must announce their presence on the premises upon request, and visitors who represent a government agency, service provider or religious organization must provide credentials identifying themselves as such. Invited guests are not entitled to enter work areas.

**EMPLOYER-IMPOSED RULES** — Rules adopted by an employer to regulate the use and occupancy of employee housing (including hours of access) are enforceable against the employee only if the rules (1) relate reasonably closely to the purpose of promoting the safety or welfare of residents or visitors, (2) preserve the employer's property from abuse, (3) apply fairly to all employees on the premises, and (4) are sufficiently explicit in directing or limiting the employees' conduct as to fairly inform them of what must be done to comply. Any such rules must be conspicuously posted at least 3 days prior to enforcement.

**EVICTON OR DISCRIMINATION** — It is unlawful for an employer to evict from any employer-provided housing, or to fire, suspend or discriminate against in any other manner, an employee or member of an employee's household, because such resident (1) has reported or complained concerning violations of the above provisions, or (2) has communicated with anyone who has access rights to the housing facility or invited anyone to residential areas.

*ADMINISTRATION AND ENFORCEMENT*

**PRIMARY ENFORCEMENT AGENCY** — *Civil Rights Division, Oregon Bureau of Labor and Industries, Portland, Oregon 97232 (971-673-0764)*. Violation of the employer-controlled housing provisions of the state civil rights laws subjects the violator to the same civil and criminal remedies and penalties prescribed for an unlawful employment practice under the same statute (*see entry, Oregon—Civil Rights—Fair Employment Practices*). Any employee living in employer-provided housing who has been denied visitation at the housing site, or any authorized visitor who has been denied access, may file a complaint with the Bureau within one year after the alleged violation.

**SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY** — *None*.

**PRIVATE CIVIL ACTION** — If the Bureau of Labor and Industries fails to file formal charges or otherwise resolve a worker's complaint within one year after the complaint is filed, the worker may file suit against the employer involved at any time within 90 days thereafter, using a private attorney or a public legal services program. The worker also has the option of taking private legal action against the violator without first filing an administrative complaint with the Bureau, but any such suit must commence no later than one year after the violation occurred.