

IMPACT STATEMENT

Legislation title: Authorize the City Attorney to institute proceedings challenging the Multnomah County District Attorney's Ordering the Release of Public Records Identifying Union Membership Status to Ben Straka of the Freedom Foundation. (Resolution).

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Purpose of proposed legislation and background information:

In response to an appeal by Ben Straka of the Freedom Foundation, the Multnomah County District Attorney's office ordered the City to release the names of all employees who are members of Laborers Local 483. This information identifies employees who are union members and those who are fair share. The Union has demanded that the City not release this information under threat of filing an unfair labor practice with the Oregon Employment Relations Board. The purpose of this Resolution is to authorize the City to file a petition in Circuit Court to challenge the District Attorney's order of the release of this information.

Financial and budgetary impacts:

There will be minor out-of-pocket expenses for the appeal, primarily the docketing fee. Attorney time will be provided by in-house lawyers in the City Attorney's Office, for whom there is no incremental expense.

Community impacts and community involvement:

This Resolution involves the protection of private employee information of the right to decide whether to be a union member or fair share. The Resolution also seeks a judicial determination about whether the release of this information acts as an interference with an employee's right to join or participate in the activities of a labor organization, or to interfere with the existence or administration of an employee organization. The Union has demanded that the City not disclose this information as the Union has taken the position that release of this information would constitute unlawful interference with its representational responsibilities as the exclusive representative of employees in represented classifications. Release of this information places the City at risk for an unfair labor practice complaint determination by the Oregon Employment Relations Board.

100% Renewable Goal:

- Not applicable

Budgetary Impact Worksheet

Does this action change appropriations?

- ☐ **YES:** Please complete the information below.
- ☒ **NO:** Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount