

EXECUTIVE ORDER NO. EO 96 - 46

SERVICE IN OREGON NATIONAL GUARD

Oregon requires the ability to maintain a well organized militia ready and able to assist Oregonians in the event of natural disasters and disturbances. The past year has seen widespread flooding and wildfires which place this need in sharp focus.

In addition to providing for a well organized militia, Oregon law requires that employers grant leaves of absence to employees who are members of the organized militia when called to service by the Governor for emergency purposes. Confusion over the operation of this provision of state law requires this Executive Order, which seeks to both reaffirm Oregon's commitment to its organized militia as manifested in laws protecting employees' National Guard service-rights, and clarify the operation of such laws.

This Order also serves to acknowledge the important commitment each member of the Oregon National Guard and other reserve components make so that the organized militia constitutes a ready force able to successfully fulfill federal and state requirements.

IT IS HEREBY ORDERED AND DIRECTED:

1. No officer, employee, or agent within the Executive Branch of State Government shall, in carrying out their duties, violate any law by discriminating against or harassing any member of a Oregon National Guard or reserve component in retaliation for, or because of, that member's attempts or efforts to fulfill military duty requirements.
2. All state agency heads shall advise agency staff of the legal requirement of ORS 399.230, ORS 408.240-.290, ORS 652.250, 34 U.S.C. sec 4301 *et seq*, and relevant provisions of the Uniformed Service Employment and Re-Employment Rights Act of 1994.
3. All state agency heads shall advise agency staff of the contents of this Executive Order and further undertake all necessary steps to ensure that its intent is both understood and implemented.

Done at Salem, Oregon, this 16th day of December, 1996.

/S/

John A. Kitzhaver, M.D.
GOVERNOR

ATTEST:

/S/

Phil Keisling
SECRETARY OF STATE