

Val Hoyle has come under fire for her work as Oregon's Labor Commissioner. Not only did she violate state law by refusing to hand over public records as part of an ongoing federal investigation, but a jury ruled that under Hoyle's leadership, there was ongoing severe harassment and racial discrimination.

Oregonian HEADLINE: "Val Hoyle Hasn't Turned Over Public Records 11 Months After Leaving Oregon Labor Bureau." (Carlos Fuentes, [Oregonian](#), 11/9/23)

After Leaving BOLI, Hoyle Failed To Hand Over Her Personal Devices So The Agency Could Inspect Them For Public Records For More Than Eleven Months. "Congresswoman Val Hoyle (D-Ore.) has not turned over public records stored on her personal devices to the state agency she once ran, nearly two months after she said she would do so. It's been 11 months since the Oregon Bureau of Labor & Industries asked Hoyle, who served as the agency's commissioner for four years before being elected to Congress, to hand over her personal devices so the agency could inspect them for public records. (Any communication sent or received to an elected official's personal email account or phone that pertains to official state business is, by Oregon law, a public record.) In September, following scrutiny by WW, she finally agreed to provide BOLI with any public communications on those devices." (Sophie Peel, "U.S. Rep. Val Hoyle Still Hasn't Handed Over Public Records On Her Personal Devices To BOLI," [Willamette Week](#), 11/6/23)

BOLI Had Asked For The Records Shortly Before And After Hoyle Left The Organization In January 2023. "The agency asked for Hoyle's records shortly before, and then once shortly after, Hoyle left her position at BOLI in early January. The agency asked because staff believed there was reason to believe that Hoyle conducted official business on personal devices throughout her four-year term." (Sophie Peel, "U.S. Rep. Val Hoyle Still Hasn't Handed Over Public Records On Her Personal Devices To BOLI," [Willamette Week](#), 11/6/23)

Hoyle Claimed She Had Not Seen The Emails BOLI Staff Sent Her Asking For Her Personal Devices. "WW this summer pressed Hoyle on why she hadn't turned over her personal devices to BOLI for inspection. Hoyle said she had seen neither of the two emails BOLI staff sent her in January asking for those devices. Hoyle promised at the time that she would sift through her devices alongside her attorney and hand over any material that constituted a public record. She declined to hand over the devices themselves, saying that for the sake of thoroughness, she and her attorney would inspect them independently. (That's despite BOLI claims it has technology that can sort through devices quickly.)" (Sophie Peel, "U.S. Rep. Val Hoyle Still Hasn't Handed Over Public Records On Her Personal Devices To BOLI," [Willamette Week](#), 11/6/23)

When Asked Why She Had Not Turned Over The Records, Hoyle's Spokesperson Said All Records From Hoyle's Device Were Turned Over To Hoyle's Attorney, Who Was Going Through The Records To Determine Which Should Be Given To BOLI. "Kristina Edmunson, a spokeswoman for Hoyle, says she has turned over all texts from her personal devices to a lawyer she retained to sift through them. Edmunson also says that after an initial meeting between Hoyle's attorney and BOLI staff Oct. 10 to discuss the records, Hoyle's attorney did not hear from the agency again until last week. 'Texts from Congresswoman Hoyle's personal device have been turned over to [Emily] Matasar who is working with the agency to determine which texts meet the definition of a public record under Oregon's public records law and to avoid any conflicts of interest,' Edmunson says. 'Congresswoman Hoyle is not involved in that decision-making process.'" (Sophie Peel, "U.S. Rep. Val Hoyle Still Hasn't Handed Over Public Records On Her Personal Devices To BOLI," [Willamette Week](#), 11/6/23)

In November 2023, Hoyle And Her Attorney Turned Over The Records They Deemed Public Records. "U.S. Rep. Val Hoyle, D-Ore., turned over public records on her personal cell phone to the Oregon Labor Bureau on Friday, 11 months after leaving her elected role as state labor commissioner to join Congress. Hoyle hired an attorney, Emily Matasar, to review records on her phone and send the Bureau of Labor and Industries those that she deemed public records. Under Oregon law, any emails or texts Hoyle sent or received pertaining to official state matters while labor

commissioner are public records, even those on her personal phone.” (Carlos Fuentes, “Val Hoyle Turns Over Public Records On Personal Phone To Oregon Labor Bureau,” [Oregonian](#), 11/17/23)

When Asked To Address The Allegations Of Bias In The Oregon Bureau Of Labor And Industry, Hoyle Responded, I Can't. Both Because There's Lawsuits Pending And What I Would Rather Focus On Is What, What It Means To Change Culture. So, When I Came To This Agency, It Was A Third The Size, And I Am Answering Your Question Alex, But Not Exactly. It Was A Third The Size It Was Forty Years Ago. AUDIO: “HOST: “So your agency made some headlines over the past few months with allegations of bias. And we know that with recent reports that just came out, at least from what *The Oregonian* was saying is that the independent investigator essentially exonerated you from this. And we know that there are still some lawsuits pending, but could you kind of just tell us a little bit about the situation and what happened from your perspective?” HOYLE: “I can't. Both because there's lawsuits pending and what I would rather focus on is what, what it means to change culture. So when I came to this agency, it was a third the size, and I am answering your question Alex, but not exactly. It was a third the size it was forty years ago.” (“Labor Commissioner Val Hoyle On Political Polarization And Re-Imagining Apprenticeships,” [The Bridge by OR360](#), 9/22/21) Timestamp: 57:06-57:49

In A July 2019 Lawsuit, The Oregon Bureau Of Labor & Industries Was Accused Of Severe Discriminatory Work Conditions

In July 2019, Carol Johnson, Who Is African American, Was Hired By The Bureau Of Labor And Industries To Lead Its Civil Rights Division. “Oregon government has few people of color in executive-level jobs, so it was notable when the state’s labor bureau hired Carol Johnson, who is African American, to lead its civil rights division in July 2019.” (Hillary Borrud, “Oregon’s Workplace Civil Rights Agency Faces Accusations Of Pervasive Racism,” [Oregonian](#), 5/29/21)

Carol Johnson Said She Quickly Encountered Resistance From Subordinates Including The White Male Civil Rights Managers Who Worked For Her. According To A Lawsuit Filed By Johnson, When She Relayed Her Concerns About The Behavior To Val Hoyle And Deputy Labor Commissioner Duke Shepard In Fall 2019, They Told Johnson That Most Black Professionals Only Last A Few Years In Oregon. “As an experienced civil rights lawyer who previously led Arkansas’ fair housing commission, Johnson arrived with clear bona fides for her Oregon job. Yet Johnson says she quickly encountered resistance from subordinates including the white male civil rights managers who worked for her. They denigrated her knowledge and experience and refused to follow her directives, she says in court filings. When Johnson relayed her concerns about the behavior to Labor Commissioner Val Hoyle and Deputy Labor Commissioner Duke Shepard in fall 2019, they told Johnson that most Black professionals only last a few years in Oregon, according to a lawsuit Johnson filed April 30 in Multnomah County Circuit Court. The lawsuit was first reported by the Portland Tribune on May 25.” (Hillary Borrud, “Oregon’s Workplace Civil Rights Agency Faces Accusations Of Pervasive Racism,” [Oregonian](#), 5/29/21)

Lawyers For The Bureau Denied That Val Hoyle And Shepard Made That Statement To Johnson And Denied That Johnson’s Subordinates In The Civil Rights Division Denigrated Her Or Refused To Follow Her Directions. “In a response to the lawsuit filed Friday, lawyers for the bureau denied that Hoyle and Shepard made that statement to Johnson and denied that Johnson’s subordinates in the civil rights division denigrated her or refused to follow her directions. Hoyle also released a statement, noting she hired a ‘neutral third-party investigator’ with the law firm Stoel Rives in August to investigate how Johnson was treated.” (Hillary Borrud, “Oregon’s Workplace Civil Rights Agency Faces Accusations Of Pervasive Racism,” [Oregonian](#), 5/29/21)

Carol Johnson Informed Bureau Leaders That She Would Resign From The Job “Due To Ongoing, Severe, Pervasive And Unremitting Discriminatory Work Conditions.” “Johnson informed bureau leaders on July 3 that she would resign from the job ‘due to ongoing, severe, pervasive and unremitting discriminatory work conditions,’ her lawyer wrote.” (Hillary Borrud, “Oregon’s Workplace Civil Rights Agency Faces Accusations Of Pervasive Racism,” [Oregonian](#), 5/29/21)

Nearly Two Weeks Later, Val Hoyle Sent A Message To Staff Stating, “I Will Not Let Insincere Concerns About ‘Process’ Be Used As A Cover For Anti-Black Bias In Our Workplace.” Hoyle Later Acknowledged That Johnson’s Resignation Was Due To Workplace Racism And Stated “The Reports Of Actions Taken Against Carol That We Have Received Are Serious And Profoundly Disturbing,” According To The Lawsuit. “Nearly two weeks later, Hoyle sent a message to staff stating, ‘I will not let insincere concerns about “process” be used as a cover for anti-Black bias in our workplace. No one raised the issues of qualifications about a White (civil rights division) manager with no more than a high school diploma but I have to hear about concerns about Black employees’ qualifications for being employed at (civil rights division). That is wrong.’ The next day, Johnson learned that civil rights division investigators had again complained to bureau leaders about her, this time because Johnson hired three Black investigators, the lawsuit says. The investigators referred to this as ‘cronyism,’ according to the lawsuit, even though Johnson ‘had no prior relationships with these new investigators, their only commonality being race.’ On July 21, 2020, Hoyle sent out an announcement titled ‘Carol Johnson’s resignation and racism in our workplace’ in which Hoyle acknowledged that Johnson’s resignation was due to workplace racism and stated ‘the reports of actions taken against Carol that we have received are serious and profoundly disturbing,’ according to the lawsuit.” (Hillary Borrud, “Oregon’s Workplace Civil Rights Agency Faces Accusations Of Pervasive Racism,” [Oregonian](#), 5/29/21)

Johnson’s Attorneys Claimed That Johnson Reported The Discriminatory Conduct To Hoyle And Her Deputy, But Hoyle Did Not Investigate Or Correct The Employees. “A Multnomah County jury awarded a Black former civil rights director at the Oregon Labor Bureau \$1.7 million Monday, finding she faced racial discrimination, a hostile workplace and whistleblower retaliation. ... Johnson and her legal team asserted in Multnomah County Circuit Court that many of Johnson’s subordinates subjected her to pushback and hostility motivated by the fact that Johnson is Black. The lawyers said Johnson reported the discriminatory conduct to Hoyle and her deputy, Duke Shepard. Hoyle and Shepard expressed support for Johnson but never investigated or corrected employees’ hostile conduct, the lawyers said.” (Betsy Hammond, “Jury Awards \$1.7 Million To Former Oregon Labor Bureau Manager Who Faced Racial Discrimination,” [The Oregonian](#), 8/15/23)

Johnson’s Attorney Said BOLI Staff Knew They Would Not Be Held Accountable For Their Race Harassment And Underperformance And As A Result. “Sykes told the jury staff knew they ‘would not be held accountable’ for their treatment of Johnson and therefore ‘the conduct escalated.’ ‘Staff knew they would not be held accountable for their race harassment and underperformance and as a result, the conduct escalated,’ Sykes told the jury.” (Lauren Dake, “Former Head Of Oregon Civil Rights Division Awarded \$1.7M In Racial Harassment Lawsuit,” [Oregon Public Broadcasting](#), 8/14/23)

Johnson’s Attorney Said Hoyle Was More Focused On Her “Political Aspirations” And Had “No Shame Dragging Ms. Johnson Through The Mud.” “But Diane Sykes, attorney for Johnson, countered that narrative and said Johnson repeatedly told Hoyle and her deputy of the racism she faced, but the leaders failed to send a clear message to staff that the behavior ‘would not be tolerated.’ ... Hoyle sent out a press release about the investigation noting it cleared her agency from wrongdoing while casting Johnson as untrustworthy. Sykes said Hoyle was more focused on her ‘political aspirations’ and had ‘no shame dragging Ms. Johnson through the mud.’” (Lauren Dake, “Former Head Of Oregon Civil Rights Division Awarded \$1.7M In Racial Harassment Lawsuit,” [Oregon Public Broadcasting](#), 8/14/23)

In 2023, An Oregon Jury Awarded Johnson \$1,726,669.77, Supporting Her Claim That She Faced A Hostile Workplace And Racial Discrimination. “The Oregon state agency charged with monitoring discrimination in workplaces across the state was itself a hostile work environment for the Black woman who was hired to head the civil rights division of the Oregon Bureau of Labor & Industries. A Multnomah County Circuit Court jury awarded Carol Johnson \$1.7 million on Monday, supporting her claim she faced a hostile workplace and racial discrimination.” (Lauren Dake, “Former Head Of Oregon Civil Rights Division Awarded \$1.7M In Racial Harassment Lawsuit,” [Oregon Public Broadcasting](#), 8/14/23)

- The Jury Awarded Johnson \$572,500 For Her Claim That BOLI Subjected Her To A Hostile Work Environment, \$9,170.77 For Her Claim That BOLI Working Conditions Were So Intolerable That

A Reasonable Person In Her Position Would Have Left Employment Because Of Them, And \$1,145,000 For Her Claim That BOLI Retaliated Against Her Because She Reported Information That She Reasonably Believed BOLI Was Violation Of State, Federal Or Local Law Rule Or Regulation. (Verdict, Carol Johnson V. Oregon Bureau Of Labor And Industries, Case No. 21CV16956, Multnomah County District Court, 8/14/23)

In A Second Lawsuit, The Oregon Bureau Of Labor & Industries Was Accused Of A Racist Work Environment

Portland Tribute HEADLINE: “Second Suit Alleges Racist Workplace At Oregon Labor Agency.” ([Portland Tribune](#), 6/14/21)

In June 2021, A Second Ex-Employee Filed A Lawsuit Claiming She Was Forced Out From The Oregon Bureau Of Labor & Industries. In The Suit, Shaina Pomerantz Said She Experienced “A Culture Of Disparate Treatment And Racial Hostility” That Included A Higher Workload Than White Employees And A Six-Month Extension Of Her Probation That Was Not Applied To Other New Hires. “Allegations of race-based bias and hostility are piling up at the state agency charged with investigating unlawful employment practices. The Portland Tribune first revealed that Oregon’s Bureau of Labor & Industries hired an outside law firm to scrutinize its own workplace – and the independent audit has grown after a second ex-employee filed a lawsuit claiming she was forced out. Former Civil Rights Division investigator Shaina Pomerantz says she experienced ‘a culture of disparate treatment and racial hostility’ that included a higher workload than white employees and a six-month extension of her probation that was not applied to other new hires. ‘When Black employees, including Ms. Pomerantz spoke up, made suggestions, or asked questions, non-Black (Civil Rights Division) employees shut down these investigators and told them their questions were not relevant, wrong, and/or inconsistent with CRD practices,’ according to the litigation. Pomerantz, who serves as vice chair for Portland’s police review committee, resigned from BOLI Dec. 31 and now seeks \$750,000 in damages. Her suit bolsters the account of her former boss, Carol Johnson, who left a \$10,300 a month job as division head last July, citing intolerable conditions in a separate lawsuit. Pomerantz, 45, says the Civil Rights investigators, who are mostly white, turned their cameras off during virtual meetings with Johnson, who is Black, and stayed silent when Johnson acknowledged the death of George Floyd.” (Zane Sparling, “Second Suit Alleges Racist Workplace At Oregon Labor Agency,” [Portland Tribune](#), 6/14/21)

In Her Complaint, Pomerantz Claimed That Questions Raised By Black Employees In The BOLI Civil Rights Division Were Told Their Questions “Were Not Relevant, Wrong, And/Or Inconsistent With CRD Practices,” But That Non-Black Employees Were Treated With “Courtesy And Respect, Offering Assistance And Support.” “When Black employees, including Ms. Pomerantz spoke up, made suggestions, or asked questions, non-Black CRD employees shut down these investigators and told them their questions were not relevant, wrong, and/or inconsistent with CRD practices. In addition, Ms. Pomerantz saw these same employees treat other non-Black employees with courtesy and respect, offering assistance and support.” (Complaint, Shaina Pomerantz v. Oregon Bureau Of Labor And Industries, Case No. 21CV22990, Multnomah County Circuit Court, 6/7/21)

Pomerantz Sought \$750,000 In Damages. “Pomerantz, who serves as vice chair for Portland’s police review committee, resigned from BOLI Dec. 31 and now seeks \$750,000 in damages.” (Zane Sparling, “Second Suit Alleges Racist Workplace At Oregon Labor Agency,” [Portland Tribune](#), 6/14/21)

In October 2023, BOLI Settled The Lawsuit For \$425,000. “This action is currently pending in Multnomah County Circuit Court Case Number 21CV16707 (‘Action’). The parties to this Action are Shaina Pomerantz, represented by J. Ashlee Albies, and the Bureau of Labor and Industries, represented by Jill Schneider (‘Parties’). The Parties have agreed to settle this Action for the consideration set forth in this Settlement Agreement and Release of Claims (‘Agreement’). The terms of this Agreement are as follows: Settlement Payment: As consideration for Plaintiff’s Release of Claims, and on behalf of the Released Parties described below, the State of Oregon, by and through the Oregon Department of Administrative Services/Risk Management (‘Risk Management’), shall pay

plaintiff the sum of Four Hundred Twenty-five Thousand Dollars (\$425,000.00) ('settlement payment'), payable to the Albies Stark & Guerriero Trust Account within 30 calendar days of plaintiff's execution of this Agreement and Risk Management's receipt of plaintiff's and her attorney's current W-9 forms." (Notice Of Settlement, Shaina Pomerantz v. Oregon Bureau Of Labor And Industries, Case No. 21CV22990, Multnomah County Circuit Court, 10/24/23)

In The Settlement, Current BOLI Commissioner Christina E. Stephenson Wrote A Letter To Pomerantz In Which She Said, "The New Administration Has Been An Opportunity For BOLI To Look Inward At Our Institutional Practices And See That We Are Not Fulfilling Our Commitment To All Oregonians." "To: Dr. Shaina Maxey Pomerantz Dear Dr. Pomerantz: It is the mission of the Bureau of Labor and Industries(BOLI) to, among other things, protect workers' rights through the enforcement of state labor laws. Since its inception, BOLI has expressed its deep commitment to ensuring Oregonians have discrimination and harassment-free work environments. We know that your experience at BOLI caused you to be deeply skeptical of that commitment. When BOLI failed to persuade you that it heard your concerns as a Black woman about how the complaints from Black people and People of Color were not being addressed, it lost the opportunity to retain you as a valued employee working towards the protection of civil rights of all Oregonians. BOLI deeply regrets the lost opportunity. As was observed by Malcolm X over sixty years ago, 'The most disrespected person in America is the Black woman. The most unprotected person in America is the Black woman.' BOLI is the last place where this statement should be true. The new Administration has been an opportunity for BOLI to look inward at our institutional practices and see that we are not fulfilling our commitment to all Oregonians. ... Sincerely, Christina E. Stephenson Labor Commissioner" (Notice Of Settlement, Shaina Pomerantz v. Oregon Bureau Of Labor And Industries, Case No. 21CV22990, Multnomah County Circuit Court, 10/24/23)

Stephenson Continued, "We Regret That The Past Actions Of This Agency Resulted In What A Jury Called A Racially Hostile Work Environment—An Environment In Which You Worked." "We regret that the past actions of this agency resulted in what a jury called a racially hostile work environment—an environment in which you worked." (Notice Of Settlement, Shaina Pomerantz v. Oregon Bureau Of Labor And Industries, Case No. 21CV22990, Multnomah County Circuit Court, 10/24/23)

Stephenson Concluded The Letter By Saying, "Again, We Are Sorry For The Agency's Regrettable Actions And Insensitivities In The Past." "Again, we are sorry for the Agency's regrettable actions and insensitivities in the past. We hope you and other Oregonians can accept this Administration's good-faith letter as an initial action step - not a performative one - to rebuild your collective confidences in our mandated mission as assigned by the Oregon State Legislature. Sincerely, Christina E. Stephenson Labor Commissioner" (Notice Of Settlement, Shaina Pomerantz v. Oregon Bureau Of Labor And Industries, Case No. 21CV22990, Multnomah County Circuit Court, 10/24/23)

In A Third Lawsuit, The Oregon Bureau Of Labor & Industries Was Accused Of Denying An Office Specialist Accommodation For His Disability

Portland Tribute HEADLINE: "Third Lawsuit Accuses Oregon Labor Bureau Of Discrimination." ([Portland Tribune](#), 7/30/21)

In July 2021, The Oregon Bureau Of Labor & Industries Faced A Third Suit, In Which A Former Office Specialist For BOLI's Training And Apprenticeship Division Says He Was Denied Accommodation For His Disability — An Anxiety Disorder Triggering Panic Attacks — And Was Retaliated Against By A Supervisor. "The Oregon state agency charged with ensuring private employers follow the law is facing another accusation of workplace discrimination from within its ranks. The Tribune first revealed in May that the Oregon Bureau of Labor & Industries' former Civil Rights Division chief, Carol Johnson, said she was forced out due to the racial animosity exuded by her subordinates — investigators who decide if working stiff's bias complaints are valid. Johnson and another ex-Civil Rights investigator, Shaina Pomerantz, seek a combined \$3 million in damages from BOLI. In response, Labor Commissioner Val Hoyle hired a law firm to conduct an independent investigation into the incidents, which both involve Black women. In

the third suit, a former office specialist for BOLI's Training and Apprenticeship Division says he was denied accommodation for his disability — an anxiety disorder triggering panic attacks — and was retaliated against by a supervisor.” (Zane Sparling, “Third Lawsuit Accuses Oregon Labor Bureau Of Discrimination,” [Portland Tribune](#), 7/30/21)

According To The Suit, Andrew Haro Began Working For BOLI In August 2019. Haro Disclosed His Disability To A Supervisor, Stephen B. Simms, In February 2020, And Allegedly Had His Probationary Period Extended In Retaliation. Simms Confused Haro With The Only Other Latino Worker In The Department, The Litigation Claims. “Andrew Haro, who the lawsuit says is of African and Hispanic descent, began working for BOLI in Multnomah County in August 2019. Haro disclosed his disability to a supervisor, division administrator Stephen B. Simms, in February 2020, according to the suit, and allegedly had his probationary period extended in retaliation. Haro was terminated from the job on March 3, 2020. Simms confused Haro with the only other Latino worker in the department, the litigation claims.” (Zane Sparling, “Third Lawsuit Accuses Oregon Labor Bureau Of Discrimination,” [Portland Tribune](#), 7/30/21)

According To The Suit, “When (Haro) Drew This Unconscious Bias And Racial Stereotype To Mr. Simms’ Attention, Mr. Simms Subjected (Haro) To The Micro Trauma Of Claiming That He Did Not Know (Haro) Was Latino Even Though (Haro) Had Expressly Told Mr. Simms That He Was Latino Several Times Before.” “When (Haro) drew this unconscious bias and racial stereotype to Mr. Simms’ attention, Mr. Simms subjected (Haro) to the micro trauma of claiming that he did not know (Haro) was Latino even though (Haro) had expressly told Mr. Simms that he was Latino several times before,’ according to the 21-page complaint.” (Zane Sparling, “Third Lawsuit Accuses Oregon Labor Bureau Of Discrimination,” [Portland Tribune](#), 7/30/21)

In February 2022, The Parties Reached A Settlement Agreement In Which The State Of Oregon Agreed To Pay Haro \$115,000. “This action is currently pending in U.S. District Court Case Number 3:21-cv-01048-MO (‘Action’). The parties to this Action are Andrew Haro, represented by Daniel J. Snyder, and State of Oregon, represented by Tracy Ickes White (‘Parties’). The Parties have agreed to settle this Action for the consideration set forth in this Settlement Agreement and Release of Claims (‘Agreement’). An IRS Form 1099 will be issued for the 2022 calendar year. The effective date of this Agreement is the date on which it is fully executed. The terms of this Agreement are as follows: Settlement. Payment: As consideration for Plaintiff’s Release of Claims, and on behalf of the Released Parties described below, the State of Oregon, by and through the Oregon Department of Administrative Services/Risk Management (‘Risk Management’), shall pay plaintiff the sum of one hundred and fifteen thousand Dollars [\$115,000] (‘settlement payment’), made payable to the Daniel Snyder Client Trust Account.” (“Notice Of Settlement,” Andrew Haro v. State Of Oregon, Case # 3:21-cv-01048-MO, United States District Court For The District Of Oregon, 2/22/23)