

2007 Regular Legislative Session
FISCAL ANALYSIS OF PROPOSED LEGISLATION
Prepared by the Oregon Legislative Fiscal Office

MEASURE NUMBER: HB 3539 **STATUS:** A-Engrossed
SUBJECT: Unlawful employment practices and religious discrimination
GOVERNMENT UNIT AFFECTED: Bureau of Labor and Industries
PREPARED BY: John F. Borden
REVIEWED BY: Robin LaMonte
DATE: June 1, 2007

	<u>2007-2009</u>	<u>2009-2011</u>
EXPENDITURES: See Comments		

POSITIONS / FTE:
See Comments

EFFECTIVE DATE: January 1, 2008

GOVERNOR'S BUDGET: This bill is not anticipated by the Governor's recommended budget.

LOCAL GOVERNMENT MANDATE: This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

COMMENTS: This measure relates to unlawful employment practices based on an employer's religion discrimination against an employee. The measure requires employers to provide reasonable accommodation to employees for religious observance or practices unless providing such an accommodation would impose undue hardship on the operation of the business of the employer. The measure provides that a school district, educational services district, or public charter school does not commit an unlawful employment practice if a teacher is prohibited from wearing religious dress while engaged in the performance of his/her duties as a teacher.

Under current law, the Bureau of Labor and Industries (BOLI) reports processing 55 to 60 cases annually which include religion is at least one basis for the complaint. The Bureau estimates that under this measure the number of such complaints would increase to 110 to 120 cases per year.

Based on an anticipated doubling of discrimination complaints, BOLI estimates the fiscal impact of this measure to be \$49,966 General Fund. The Bureau may need to hire one Civil Rights Field Representative 2 position (0.46 FTE) to review and investigate new complaints. The above costs include \$750 in Services and Supplies for the position.

The Legislative Fiscal Office notes that the actual increase in the number of complaints and cases are indeterminate. This measure currently does not have a subsequent referral to the Joint Committee on Ways and Means. This is appropriate at this time. The Bureau, however, may need to return to the Legislative Emergency Board or a subsequent legislative session if the incremental increase in the number of cases under this measure exceed resources allocated the Bureau in its adopted budget.