

House Bill 3539

Sponsored by Representatives HUNT, ROBLAN; Representatives BEYER, BOONE, CANNON, CLEM, D EDWARDS, GELSER, KOTEK, READ, RILEY

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires employer to provide reasonable accommodation to religious observance or practices of employee unless providing accommodation would impose undue hardship on employer. Requires employer to permit employee to use certain leave as accommodation to religious observance or practices of employee. Prohibits occupational requirement that restricts ability of employee to wear religious clothing, to take time off for holy day or to participate in religious observance or practice if activities have only temporary or tangential impact on employee's ability to perform job functions.

A BILL FOR AN ACT

1
2 Relating to unlawful employment practices.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2007 Act is added to and made a part of ORS chapter 659A.**

5 **SECTION 2. (1) An employer that fails to provide reasonable accommodation to the reli-**
6 **gious observance or practices of an employee violates ORS 659A.030 unless providing the ac-**
7 **commodation would impose an undue hardship on the employer. An accommodation is**
8 **reasonable for the purposes of this subsection if the accommodation removes the conflict**
9 **between the requirements of the job and the religious observance or practices of the em-**
10 **ployee.**

11 **(2) An employer violates ORS 659A.030 if the employer does not allow an employee to use**
12 **vacation leave, or other leave available to the employee, as an accommodation to the reli-**
13 **gious observance or practices of the employee. This subsection applies only to leave that is**
14 **not restricted as to the manner in which the leave may be used and that the employer allows**
15 **the employee to take by adjusting or altering the work schedule or assignment of the em-**
16 **ployee.**

17 **(3) An employer violates ORS 659A.030 if the employer imposes an occupational require-**
18 **ment that restricts the ability of an employee to wear religious clothing, to take time off for**
19 **a holy day or to participate in a religious observance or practice if those activities have only**
20 **a temporary or tangential impact on the employee's ability to perform the functions of the**
21 **employee's job.**

22 **SECTION 3. Section 2 of this 2007 Act applies only to conduct that occurs on or after the**
23 **effective date of this 2007 Act.**

24

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.