

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	8 - 0 - 0
Yeas:	Boone, Esquivel, Freeman, Komp, Matthews, Riley, Weidner, Cowan
Nays:	0
Exc.:	0
Prepared By:	David Molina, Administrator
Meeting Dates:	3/17, 4/9, 4/14

WHAT THE MEASURE DOES: Requires all public, private and not-for-profit entities to provide 14-days unpaid leave to half- or a full-time employee who is a spouse of a citizen-soldier ordered to active duty under Title 32 or Title 10 of the United States Code. Redefines state as an employer of 25 or more persons in the State of Oregon. Requires leave to be included in addition to the 12 weeks of family leave within any one-year period as authorized under ORS 659A.162. Makes failure to grant leave or discrimination against spouse unlawful practice. Requires Bureau of Labor and Industries to enforce provisions of the measure. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Integrating military spouses in the Oregon Family Leave Act
- Challenges to definition of employer and employee under Oregon Family Leave Act
- The wars in Iraq and Afghanistan longest conflict period affecting the all-volunteer force
- The need to support Oregon National Guard/Reserve citizen-soldiers families left behind during deployment
- Widespread support among Oregon National Guard/Reserve citizen-soldiers and their spouses, and veterans advocacy organizations

EFFECT OF COMMITTEE AMENDMENT: Redefines state as an employer of 25 or more persons in the State of Oregon. Requires leave to be included in addition to the 12 weeks of family leave within any one-year period as authorized under ORS 659A.162.

BACKGROUND: Federal military policy during the Vietnam War exempted married men and parents from the draft. As of June 30, 2008, there were 21,731 Oregonian Iraq and Afghanistan veterans. In contrast to previous wars, the Oregon Military Department estimates that the majority of the current citizen-soldier force is married. Similar legislation was signed into law in Washington in 2008 (RCW 49.77), increasing the amount of unpaid leave available to military families. During periods of military conflict, employees are now entitled to up to 15 days of unpaid leave, to be taken either before their spouse is deployed or while their spouse is on leave from deployment. The Washington law increased the amount of unpaid leave time available to members of the Washington National Guard or Reserves from 15 days to 21 days.

Provisions of House Bill 2744-A provide 14-days unpaid leave to half - and full-time employees who are spouses of a citizen-soldier ordered to active duty. Proponents assert the need to provide spouses of mobilized citizen-soldiers time-opportunity to support their loved ones during mobilization and deployment while afforded protection against discrimination at work.

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This summary has not been adopted or officially endorsed by action of the committee.