

**REVENUE:** No revenue impact

**FISCAL:** Fiscal statement issued

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**Action:** Do Pass  
**Vote:** 5 - 0 - 0  
**Yeas:** George, Monnes Anderson, Prozanski, Telfer, Rosenbaum  
**Nays:** 0  
**Exc.:** 0  
**Prepared By:** Jeremy Sarant, Administrator  
**Meeting Dates:** 5/6

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**WHAT THE MEASURE DOES:** Provides that it is unlawful employment practice for employer to discriminate in specified actions against person because of person's uniformed service. Prohibits discriminating by: Public employer denying employee rights or status provided in ORS chapter 408 to veterans in public employment; denying initial employment, reemployment following leave taken for uniformed service, retention in employment, promotion, or any other term or condition of employment because person applies, performs or has performed in uniformed service; or discharging, expelling, disciplining, or threatening person for exercising or attempting to exercise rights to participate in uniformed service. Establishes that employer does not commit unlawful employment practice if employer acted based on a bona fide occupational requirement reasonably necessary to normal operation of employer's business and employer's actions could not have been avoided by reasonably accommodating person's uniformed service. Provides that measure applies to conduct occurring on or after effective date of bill.

**ISSUES DISCUSSED:**

- Coverage of federal law
- Problems with public employers compared to private employers

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** Currently, protecting the employment rights of citizen soldiers is covered largely by federal law. The federal Uniformed Services Employment and Reemployment Rights Act of 1994 provides some protection to service men and women when they are required to meet their service obligations. In Oregon, certain forms of employment discrimination are prohibited under ORS chapter 659A; however, discrimination related to military service is not currently one of the protected areas. House Bill 3256 establishes an unlawful employment practice of discriminating against a service member if an employer discriminates against a service member for fulfilling his or her service obligation.