

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 4 - 1 - 0

Yeas: Bonamici, Boquist, Dingfelder, Prozanski

Nays: Whitsett

Exc.: 0

Prepared By: Anna Braun, Counsel

Meeting Dates: 4/9, 4/22

WHAT THE MEASURE DOES: Enacts the Oregon Workplace Religious Freedom Act. Requires employers to reasonably accommodate religious practices of employees. Makes violations unlawful employment discrimination. Allows employees to use vacation time, wear religious clothing, and take time off for a religious practice. Employers must reasonably accommodate unless accommodation causes an undue hardship. Lists factors to consider for hardship. Clarifies school district does not commit unlawful employment practice by prohibiting teachers from wearing religious clothing while teaching.

ISSUES DISCUSSED:

- Applicability to businesses with one employee or more
- Safety as a strong factor in finding undue hardship

EFFECT OF COMMITTEE AMENDMENT: Adds the word “reasonably” or “reasonable” before accommodation throughout the bill. States that the act shall be known as the “Oregon Workplace Religious Freedom Act.”

BACKGROUND: ORS chapter 659A is the unlawful employment discrimination act. It is currently unlawful to discriminate because of race, religion, color, sex, national origin, marital status or age, if over 18, and because of an expunged juvenile record. SB 786A adds the obligation that an employer must reasonably accommodate an employee’s religious practice to the unlawful employment discrimination act. Types of accommodations include shift changes to accommodate religious observances and permission to wear jewelry or clothing if it does not create an undue hardship to the employer.