

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: 4/15

WHAT THE MEASURE DOES: Updates Oregon's version of the Americans with Disability Act (ADA). Provides criteria for determining whether an individual has a physical and/or mental impairment that substantially limits one or more of the individual's major life activities. Provides examples of major life activities. Adds to the list of activities and functions that are considered major life activities.

ISSUES DISCUSSED:

- Conformance to federal law
- Legislative history of Oregon's disability laws
- Applicability to Oregon employers with six or more employees

EFFECT OF COMMITTEE AMENDMENT: Adds to the list of activities and functions that are considered major life activities.

BACKGROUND: The federal Americans with Disabilities Act (ADA), as well as Oregon law, prohibits employers from discriminating against disabled job applicants and employees. The ADA applies to employers with 15 or more employees; the Oregon law applies to employers with six or more employees. Under both laws, mentally and physically disabled people are protected from discrimination. Employers may not discriminate against people who have impairments like depression, just as they may not discriminate against people with physical disabilities such as people in wheel chairs.

The federal Americans with Disability Act Amendment Act (ADAA), in effect January 1, 2009, provided an update to the ADA as a response to U.S. Supreme Court cases and Equal Employment Opportunity Commission interpretations that narrowed the scope of the ADA. SB 874 A updates Oregon law.