

**REVENUE:** No revenue impact

**FISCAL:** No fiscal impact

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<b>Action:</b>	Do Pass as Amended and Be Printed Engrossed
<b>Vote:</b>	7 - 2 - 1
<b>Yeas:</b>	Barton, Garrett, Olson, Smith J., Stiegler, Whisnant, Barker
<b>Nays:</b>	Cameron, Krieger
<b>Exc.:</b>	Shields
<b>Prepared By:</b>	Shannon Sivell, Counsel
<b>Meeting Dates:</b>	5/19, 5/22, 5/28

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**WHAT THE MEASURE DOES:** Updates Oregon statutes analogous to federal Americans with Disability Act (ADA). Provides criteria for determining whether individual has 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. Resolves conflicts between SB 58 and SB 874A.

**ISSUES DISCUSSED:**

- Definition of major life activities
- Current statute
- Codification of case law

**EFFECT OF COMMITTEE AMENDMENT:** Resolves conflicts between SB 58 and SB 874A.

**BACKGROUND:** The federal 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 who use wheel chairs.

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

~~6/2/2009 8:13:00 AM~~

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

Committee Services Form - 2009 Regular Session

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