



# Oregon

## Bureau of Labor and Industries

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Commissioner

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Testimony to House Committee on Business and Labor  
Provided by: Kate Newhall, Legislative Director  
Oregon Bureau of Labor & Industries

The Oregon Bureau of Labor and Industries (BOLI) appreciates the opportunity to testify in support of HB 4162, which would amend Oregon civil rights law to provide the same civil rights and sexual harassment protections that already exist for employees to also protect interns in the workplace.

As the agency responsible for the enforcement of Oregon's civil rights laws, BOLI feels strongly that interns should be treated with respect and afforded the same protections as other employees. Our Civil Rights Division enforces laws granting job seekers and employees equal access to jobs, career schools, promotions, and a work environment free from discrimination or harassment. The Division fields an average of 25,000-30,000 inquiries annually and investigates approximately 2,200 cases each year.

Oregon statute speaks entirely to protections for employees and does not offer specific protections for interns who have no technical employment relationship with the employer. While the Equal Employment Opportunity Commissioner (EEOC) has issued guidelines that provide coverage to interns (and volunteers) if the work is required for regular employment or regularly leads to employment with the same entity, some interns have been unable to bring sexual harassment or civil rights complaints under Title VII of the Civil Rights Act of 1964 because courts have not found them to be technically "employees."

HB 4162 modifies the definition of "employer" in state law so that individuals "performing work for educational purposes" are considered to be in an employment relationship and covered by the same civil rights protections already afforded to other employees. HB 4162 is also careful to specify that the employment relationship created to establish certain civil rights protections does not extend to wage and hour law, unemployment insurance law or worker's compensation benefits.

Thank you for the opportunity to testify on behalf of HB 4162. This is a common sense protection for interns, who, like employees, should be able to enjoy a workplace free from harassment and discrimination. I am happy to answer any questions you have.

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