



MEASURE: SB 1548  
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SUBMITTED BY: Sen. Rosenbaum

**DIANE ROSENBAUM**

SENATE MAJORITY LEADER

February 20, 2012

To: Co-Chair Garrett, Co-Chair Kennemer, Members of the House Committee on Business and Labor

From: Senator Diane Rosenbaum

**RE: Testimony in Support of SB 1548 the Fair Employment Opportunity Act**

Co-Chair Garrett, Co-Chair Kennemer, Members of the Committee:

For the record I am State Senator Diane Rosenbaum representing Senate District 21 which includes SE and NE Portland and Milwaukie. Thank you for your consideration of SB 1548, the Fair Employment Opportunity Act, which comes to you from the Senate with unanimous and bipartisan support.

This is a jobs bill – it will help hardworking Oregonians who are struggling to survive in this difficult economy. The current economic crisis has caused chronic long-term unemployment for Oregonians who are skilled and ready to enter the workforce. In December 2011, The Oregon Employment Department reported that over 175,000 Oregonians were unemployed, an 8.9 percent unemployment rate. Four out of 10 unemployed Oregonians have been without a job for six months or more, and the average unemployed worker searches for a job for more than 9 months -- the longest in any recession on record. SB 1548 will help remove an obstacle, allowing them to compete based on qualifications, while preserving the tools employers need to evaluate & hire them.

Being unemployed and trying to find work is hard enough in today's economic climate. Making matters worse, employers of all sizes, staffing agencies and online job posting firms are using recruitment and hiring policies that deny employment to the unemployed -- simply because they are not currently working. In other words, at a time when the competition for jobs is extraordinarily intense -- with more than nearly five unemployed jobseekers for each new job opening -- some businesses and recruitment firms are telling would-be job seekers that they can't get a job unless they already have a job.

An overwhelming majority of Americans agree that companies should not discriminate against the unemployed. In a national survey by Hart Research Associates, conducted for

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the National Employment Law Project in June 2011, 90 percent of the respondents described the refusal to consider unemployed job applicants as “very unfair” or “somewhat unfair.”

Hiring discrimination of the unemployed is a problem nationally as well as in Oregon. Similar legislation has been introduced in at least four other states, and on the federal level, United States House Reps. Rosa DeLauro (D-Conn.) and Hank Johnson (D-Ga.) have introduced the Fair Employment Opportunity Act of 2011.

SB 1548 would make it an unlawful practice in Oregon for employers, employer’s agent, representative, designee or employment agency to post job announcements that discriminate against the unemployed. SB 1548 will be enforced by the Commissioner of the Bureau of Labor & Industries (BOLI) and will not authorize a private cause of action by an aggrieved person against an employer. The bill preserves screening tools for employers. Under the bill all employers will still have the right to check a job applicant’s qualifications including educational and work experience, professional and occupational licenses, certificates, registrations, permits and other credentials. SB 1548 would help eliminate the barriers and uphill battles workers face in trying to reenter the workforce.

Co-Chair Garrett, Co-Chair Kennemer, Members of the Committee, thank you again for holding this hearing. I encourage you to pass SB 1548 out of committee and to the House floor with a do-pass recommendation.

Sincerely,

A handwritten signature in black ink that reads "Diane Rosenbaum". The signature is written in a cursive, flowing style.

Senator Diane Rosenbaum  
Senate Majority Leader  
Senate District 21