



319 SW Washington
Ave. Suite 607
Portland, OR 97204

tel. 503-223-5587
fax 503-223-4101
www.oregontriallawyers.org

VOTE YES ON HB 3042 TO ENSURE WAGE EQUITY FOR ALL!

Chairperson Doherty and members of the Committee, I am Beth Creighton. I am a member of the Oregon Trial Lawyers Association Board and co-chair of OTLA's Employment Section. I represent workers who have been wronged by employers who have committed unlawful employment practices.

Oregon law currently prohibits discrimination on the basis of sex in the payment of wages for comparable work. However, this law does not protect employees from discrimination based on race, color, religion, sexual orientation, national origin, marital status, disability or age. HB 3042 would protect those individuals just mentioned who have historically been the victims of wage discrimination.

Oregon, a state that once outlawed certain races in its constitution, has come a long way in combating discrimination, racism and bigotry. Oregon now proudly declares, as a matter of public policy, "that practices of unlawful discrimination against any of its inhabitants because of race, color, religion, sex, sexual orientation, national origin, marital status, age, disability or familial status are a matter of state concern and that this discrimination not only threatens the rights and privileges of its inhabitants but menaces the institutions and foundation of a free democratic state." ORS 659A.003.

While this is progress, economic disparities that are a barrier to true equality still exist. When performing the same work, people of color earn between 25-50% less than their white counterparts. The consequence of these pay disparities can be clearly seen in the numbers--- the 2010 poverty rate for Native Americans is 23.1%, for Latinos 28.8%, for African Americans 39% and for Native Hawaiian/ Pacific Islanders 40.6%. In contrast, the poverty rate for White Oregonians is a lesser 13.1%.

Permitting employers to pay a worker less because of the worker's age or marital status or race gives those employers an unfair competitive edge. The resulting wage disparity serves to more deeply entrench these unacceptable levels of poverty. Higher poverty rates inevitably result in a greater need for government benefits and services, which, of course, are paid for by taxpayers. Thus, when businesses don't pay their workers equitably, the end result is that it is the taxpayers who end up subsidizing their unfair wage practice.

The Racial Equity Report for 2011 has recommended that the Oregon Legislature pay more explicit attention to racial equity in the policy making process to eliminate racial disparities and advance equitable outcomes for all communities. This legislation would go a long way in doing just that.

The Oregon Trial Lawyers Association strongly urges the passage of HB 3042