

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass the A-Engrossed Measure

Vote: 4 - 0 - 1

Yeas: Close, Kruse, Roblan, Prozanski

Nays: 0

Exc.: Dingfelder

Prepared By: Anna Braun, Counsel

Meeting Dates: 4/25

WHAT THE MEASURE DOES: Conforms disability standard to the federal standard for purposes of employment discrimination.

ISSUES DISCUSSED:

- Provisions of the measure

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: The federal Americans with Disabilities Act (ADA), as well as Oregon law, prohibit employers from discriminating against disabled job applicants and employees. The ADA applies to employers with 15 or more employees, while Oregon law applies to employers with six or more employees. The federal Americans with Disabilities Amendment Act (ADAA) took effect in 2009 and provides broader protections to individuals with disabilities. Oregon enacted legislation in 2009 (Senate Bill 874) to more closely conform to the federal law. In 2009, Oregon added the term “materially” to the disability standard. That term raised the standard and made Oregon’s law out of conformance with federal law. Originally, House Bill 2111 A deleted the word “materially” from Oregon law. After concerns were raised about lowering Oregon’s standard, the House Business and Labor and Committee amended the bill to mirror the language used by the U.S. Equal Employment Opportunity Commission. House Bill 2111 A conforms Oregon law to the federal standard.