FISCAL IMPACT OF PROPOSED LEGISLATION **Measure: HB 3263 - A**

Seventy-Seventh Oregon Legislative Assembly – 2013 Regular Session
Legislative Fiscal Office

Only Impacts on Original or Engrossed Versions are Considered Official

Prepared by:	Matt Stayner
Reviewed by:	Daron Hill, Paul Siebert
Date:	5/20/13

Measure Description:
Requires State of Oregon to grant paid leave to eligible employees who are victims of domestic violence, harassment, sexual assault or stalking.

Government Unit(s) Affected:
Department of Administrative Services (DAS), Statewide

Summary of Expenditure Impact:
Please see analysis

Local Government Mandate:
This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

Analysis:
The measure allows an employee of the State of Oregon who is a victim of domestic violence, harassment, sexual assault, or stalking to take up to 160 hours of leave with pay each calendar year after exhausting all other forms of paid leave available to the employee. The measure also requires the State of Oregon, as an employer, to immediately inform an employee of any attempted communication in the workplace, direct or indirect, (assumedly by the perpetrator) related to the victimization of the employee and offer to report the communication to law enforcement. The bill also requires that the State of Oregon annually inform all employees of the statutory provisions related to prohibited conduct by employers, requirement to provide reasonable safety accommodations, and confidential recordkeeping regarding victims of domestic violence, harassment, sexual assault, and stalking.

The fiscal impact of the measure is indeterminate. The Employment Department cites statistics provided by the Oregon Department of Human Services estimating that 1.0% of the Oregon adult population age 16 and over were reported as victims of domestic or sexual assault in 2011. Using this estimate and applying that rate to an estimated 48,000 state employees equates to 480 individuals each year. The actual number of employees eligible is unknown. At full utilization of 160 hours of paid leave each year and assuming all 480 employees took the additional leave, this would total 153,600 hours of paid leave in a biennium. However, the bill also requires that an employee exhaust all other forms of paid leave available prior to accessing the paid leave provided by the bill. The number and availability of other forms of paid leave vary greatly from person to person and therefore even using these statistics, the total number of hours that might be taken cannot be determined.

The potential fiscal impact to agencies generally, is the loss of productive activity due to the absent employee. If an agency is not able to absorb the workload using existing resources the agency may have to hire temporary employees to perform those duties. Depending on the number of employees in an agency eligible, the cost of temporary positions, and the utilization rate of the additional leave, the measure may have a significant impact. The magnitude of the impact is unknown and therefore the fiscal impact is indeterminate.