

DRAFT

SUMMARY

Prohibits qualified nonprofit agency for individuals with disabilities from paying less than state minimum wage to employees who are individuals with disabilities if employees perform services at facility or site other than facility or site that qualified nonprofit agency for individuals with disabilities owns or leases.

Becomes operative 91 days after effective date of Act.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to wages that a qualified nonprofit agency for individuals with
3 disabilities must pay to certain employees; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. Section 2 of this 2015 Act is added to and made a part**
6 **of ORS 279.835 to 279.855.**

7 **SECTION 2. (1) Notwithstanding any certification that a qualified**
8 **nonprofit agency for individuals with disabilities may obtain under**
9 **section 14(c) of the Fair Labor Standards Act of 1938, 29 U.S.C. 201 et**
10 **seq., that authorizes the qualified nonprofit agency for individuals**
11 **with disabilities to pay a special minimum wage, a qualified nonprofit**
12 **agency for individuals with disabilities may not pay an employee who**
13 **is an individual with a disability less than the minimum wage rate**
14 **specified under ORS 653.025 if the employee performs services at a fa-**
15 **ility or site other than a facility or site that the qualified nonprofit**
16 **agency for individuals with disabilities owns or leases.**

17 **(2) A public agency shall require as a material term of any contract**
18 **the public agency has with a qualified nonprofit agency for individuals**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 with disabilities that the qualified nonprofit agency for individuals
2 with disabilities comply with subsection (1) of this section.

3 **SECTION 3.** Section 2 of this 2015 Act applies to contracts that a
4 public agency enters into or renews with a qualified nonprofit agency
5 for individuals with disabilities on or after the operative date specified
6 in section 4 of this 2015 Act and to employment contracts that a
7 qualified nonprofit agency for individuals with disabilities enters into
8 on or after the operative date specified in section 4 of this 2015 Act
9 with an employee who is an individual with a disability.

10 **SECTION 4.** (1) Section 2 of this 2015 Act becomes operative 91 days
11 after the effective date of this 2015 Act.

12 (2) The Director of the Oregon Department of Administrative Ser-
13 vices and a public agency that adopts rules under ORS 279A.065 may
14 take any action that is necessary to enable the director or the public
15 agency to exercise all of the duties, functions and powers conferred
16 on the director or the public agency under section 2 of this 2015 Act.

17 **SECTION 5.** This 2015 Act being necessary for the immediate pres-
18 ervation of the public peace, health and safety, an emergency is de-
19 clared to exist, and this 2015 Act takes effect on its passage.

20
