

PRELIMINARY STAFF MEASURE SUMMARY

CARRIER:

Senate Committee on Workforce

REVENUE: No revenue impact

FISCAL: No fiscal impact

SUBSEQUENT REFERRAL TO:

Action:

Vote:

Yeas:

Nays:

Exc.:

Prepared By: Matthew Germer, Administrator

Meeting Dates: 3/18

WHAT THE MEASURE DOES: Establishes that decisions related to immunizations are personal in nature. Prohibits employers from mandating immunization as condition of employment unless required by federal law. Makes violation an unlawful employment practice.

ISSUES DISCUSSED:

EFFECT OF COMMITTEE AMENDMENT:

BACKGROUND: Currently under Oregon law, most employers may not mandate immunization as a condition of employment. Under the Americans with Disabilities Act and the Civil Rights Act, questions by employers about immunizations may reveal protected medical information and religious beliefs and thus may lead to workplace discrimination. In the event of an outbreak, employers may urge employees to be immunized but cannot require it or be provided notice of immunization.

Senate Bill 731 establishes that decisions related to immunizations are personal in nature and thus prohibits employers from mandating immunization as a condition of employment unless required by federal law. The measure makes a violation an unlawful employment practice.