

**STAFF MEASURE SUMMARY****House Committee On Business and Labor****Fiscal:** Has minimal fiscal impact**Revenue:** No Revenue Impact**Action Date:** 05/22/15**Action:** Do Pass.**Meeting Dates:** 05/13, 05/22**Vote:**

Yeas: 8 - Barreto, Barton, Doherty, Evans, Fagan, Holvey, Kennemer, Nosse

Nays: 1 - Weidner

Exc: 2 - Esquivel, Heard

**Prepared By:** Jan Nordlund, Committee Administrator

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**WHAT THE MEASURE DOES:**

Directs Department of Administrative Services to establish a pay equity training program. Prohibits public contracting agency from contracting with bidder who employs 50 or more full-time workers on state contract exceeding \$500,000 unless the bidder possesses certificate indicating completion of pay equity training program offered through Department. Prohibits contractor from retaliating against employee who discusses compensation with another employee. Requires public contract include provision that contractor must comply with prohibition against discriminatory compensation and wage payments. Becomes operative on January 1, 2016. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- When prevailing wage rate applies
- Application to procurements for goods and services as well as public improvement contracts
- Measure does not require hiring quotas
- Justification for requiring certification only by employers with 50 or more workers
- Department rule will specify whom will take the training

**EFFECT OF COMMITTEE AMENDMENT:**

No amendment.

**BACKGROUND:**

The Oregon Department of Administrative Services (DAS) is the central administrative agency of the Oregon state government. The Public Contracting Code provides predictability, equal treatment for all, reliability, integrity and clarity. Statutes provide the requirements a bidder must meet in order to be determined responsible, making them eligible to enter into a public contract.

Senate Bill 491-A requires any contractor employing 50 or more full-time workers who bids on a public procurement or contract exceeding \$500,000 to possess a certificate showing participation in a DAS pay equity training program. The measure also prohibits contractors from retaliating against employees who discuss compensation and benefits with one another.