

SB 901 A STAFF MEASURE SUMMARY

House Committee On Business and Labor

Prepared By: Jan Nordlund, LPRO Analyst

Meeting Dates: 5/3, 5/31

WHAT THE MEASURE DOES:

Exempts amateur athletes from certain specified employment regulations related to workers' compensation coverage, wage rate, payment, collection and claim enforcement, employment conditions, employment of minors and unemployment insurance.

- Minimal expenditure impact; Minimal revenue impact
- Senate vote 30-0

ISSUES DISCUSSED:

- Whether amateur athletes are treated as employees by various agencies
- Whether players receive 1099 or other tax-related documents
- Who bears cost of insurance and medical treatment for players
- Whether Winterhawk players held to NCAA standards

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Players on the Portland Winterhawks hockey team have traditionally been exempted from workers' compensation requirements as have K-12 student athletes, college athletes and adult league participants. The Winterhawks are in the Western Hockey League, which is a member of the Canadian Hockey League. A class action lawsuit has been filed in Canada alleging that all players in the Canadian Hockey League, including those who play for the Winterhawks, should be classified as employees and subject to employment laws.

Current Oregon statute provides an exemption from workers' compensation requirements for individuals who have been declared an amateur athlete by the U.S. Olympic Committee (USOC) or Canadian Olympic Committee (COC).

Senate Bill 901-A clarifies in the workers' compensation statutes that an individual also can be declared an amateur athlete by an equivalent national body governing amateur sport or an individual can register as an amateur athlete with a recognized national governing body, or its state affiliate, empowered to sanction and govern amateur competitions. Using the expanded definition of amateur athlete from the workers' compensation statutes, the measure exempts amateur athletes from other employment statutes, including enforcement of wage claims, employee rights of action, minimum wage, employment of minors, employment conditions and unemployment insurance.