

SB 301 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

Prepared By: Whitney Perez, Counsel

Meeting Dates: 2/21

WHAT THE MEASURE DOES:

Makes it an unlawful employment practice for any employer to condition employment on refraining from using a substance that is lawful in Oregon during nonworking hours. Declares emergency, effective on passage.

REVENUE: May have revenue impact, but no statement yet issued

FISCAL: May have fiscal impact, but no statement yet issued

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

In Oregon, it is considered an unlawful employment practice for any employer to condition employment on refraining from using lawful tobacco products during nonworking hours. There is an exception when the restriction relates to a bona fide occupational requirement or an applicable collective bargaining agreement prohibits the off-duty use of tobacco products. Senate Bill 301 would modify this law to prohibit an employer from conditioning employment on refraining from using any substance that is lawful in Oregon during nonworking hours. SB 301 also adds an exception for restrictions on the use of lawful substances in nonworking hours when related to the performance of work while impaired.