

Senate Bill 240

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SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires employer of individual with disability to pay a rate no less than the state minimum wage, beginning on January 1, 2022. Creates Wage Equity for Individuals with Disabilities Board to advise Department of Human Services regarding issuance of grants under Wage Equity Grant Program, established to train disabled employees and subsidize disabled employee wages.

A BILL FOR AN ACT

1
2 Relating to the employment of disabled employees at subminimum wage.

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

4 **SECTION 1. Section 2 of this 2017 Act is added to and made a part of ORS chapter 653.**

5 **SECTION 2. For each hour of work time that an individual with a disability is gainfully**
6 **employed, an employer may not employ or agree to employ the individual at wages computed**
7 **at a rate lower than the minimum wage established under ORS 653.025, regardless of whether**
8 **the employer has obtained a special certificate under 29 U.S.C 214(c) or is authorized by ad-**
9 **ministrative rules adopted by the Department of Human Services.**

10 **SECTION 3. There is created the Wage Equity Grant Program within the Department**
11 **of Human Services to assist employers in providing training to, and to supplement submini-**
12 **imum wages of, disabled employees working through a special certificate issued under 29**
13 **U.S.C. 214(c) or a program authorized under administrative rules adopted by the Department**
14 **of Human Services.**

15 **SECTION 4. In addition to and not in lieu of any other appropriation, there is appropri-**
16 **ated to the Department of Human Services, for the biennium beginning July 1, 2017, out of**
17 **the General Fund, the amount of \$_____, for grants described in section 3 of this 2017 Act.**

18 **SECTION 5. (1) The Wage Equity for Individuals with Disabilities Board is established.**

19 **(2) The board consists of nine members appointed as follows:**

20 **(a) The President of the Senate shall appoint:**

21 **(A) One member from among members of the Senate.**

22 **(B) One individual with disabilities who has worked at subminimum wage.**

23 **(C) One representative from a nonprofit organization that serves individuals with disa-**
24 **bilities.**

25 **(D) One representative from the Oregon Resource Association.**

26 **(E) One representative from the Employment First team.**

27 **(b) The Speaker of the House of Representatives shall appoint:**

28 **(A) One member from among members of the House of Representatives.**

29 **(B) One individual with disabilities who has worked at subminimum wage.**

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 (C) One representative from a nonprofit organization that serves individuals with disa-
 2 bilities.

3 (D) One representative from a public agency that has employed individuals at submini-
 4 mum wage.

5 (3) The board shall advise the Director of Human Services regarding grants issued under
 6 the Wage Equity Grant Program to assist employers in providing training to, and supple-
 7 menting subminimum wages of, disabled employees working through a special certificate is-
 8 sued under 29 U.S.C. 214(c) or a program authorized under administrative rules adopted by
 9 the Department of Human Services.

10 (4) The board may consult with nonprofit organizations as needed to assist with grant
 11 determinations made under subsection (3) of this section.

12 (5) A majority of the members of the board constitutes a quorum for the transaction of
 13 business.

14 (6) Official action by the board requires the approval of a majority of the members of the
 15 board.

16 (7) The board shall elect one of its members to serve as chairperson.

17 (8) If there is a vacancy for any cause, the appointing authority shall make an appoint-
 18 ment to become immediately effective.

19 (9) The board shall meet at times and places specified by the call of the chairperson or
 20 of a majority of the members of the board.

21 (10) The board may adopt rules necessary for the operation of the board.

22 (11) The board shall submit a report in the manner provided by ORS 192.245, and may
 23 include recommendations for legislation, to an interim committee of the Legislative Assem-
 24 bly related to matters affecting the workplace no later than September 15 of each year
 25 through 2028.

26 (12) The Department of Human Services shall provide staff support to the board.

27 (13) Members of the board who are not members of the Legislative Assembly are not
 28 entitled to compensation or reimbursement for expenses and serve as volunteers on the
 29 board.

30 (14) All agencies of state government, as defined in ORS 174.111, are directed to assist
 31 the board in the performance of the board's duties and, to the extent permitted by laws re-
 32 lating to confidentiality, to furnish information and advice the members of the board con-
 33 sider necessary to perform their duties.

34 **SECTION 6.** The Department of Human Services shall study the impact of eliminating the
 35 subminimum wage for disabled individuals and report to the Legislative Assembly in the
 36 manner provided by ORS 192.245 not later than September 15, 2023.

37 **SECTION 7.** Section 2 of this 2017 Act becomes operative on January 1, 2022.