

HB 4093 A STAFF MEASURE SUMMARY

Senate Committee On Workforce

Action Date: 02/27/18

Action: Without recommendation as to passage and request referral to Rules.

Vote: 4-1-0-0

Yeas: 4 - Hansell, Knopp, Monnes Anderson, Taylor

Nays: 1 - Gelser

Fiscal: Has minimal fiscal impact

Revenue: Has minimal revenue impact

Prepared By: Debra Maryanov, LPRO Analyst

WHAT THE MEASURE DOES:

Exempts amateur athlete from workers' compensation insurance coverage, unemployment insurance, minimum wage, and other employment-related provisions when actively training or conditioning for, or participating in, amateur sports activities, events, or competitions. Creates definition of "amateur athlete" that includes reference to individual's involvement in amateur sports activities, events or competitions for a team, league, club or association included in the report to Department of Consumer and Business Services (DCBS). Requires amateur sports organization to annually send report to DCBS that includes contact information for regional, national and international certifying authority that has certified the organization as an amateur sports organization, as well as a roster listing contact information for each team, league, club, and association affiliated with or governed by the organization.

ISSUES DISCUSSED:

- Differences between this measure and Senate Bill 901 (2017)
- Compensation, scholarship benefits, and insurance coverage provided to hockey players on the Portland Winterhawks
- League regulations, requirements, and expectations for players
- Class-action lawsuit in Canada against the Canadian Hockey League (CHL) by CHL players
- Criteria for amateur and professional status
- Plans to build a premier ice facility in Washington County through a public-private partnership with the Winterhawks

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

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

Current Oregon statute provides an exemption from workers' compensation insurance requirements for individuals who have been declared an amateur athlete under the rules of the U.S. Olympic Committee or Canadian Olympic Committee, provided they receive no remuneration other than room, board, rent, housing, lodging, or other reasonable incidental subsistence allowance. House Bill 4093-A exempts amateur athletes from statutory provisions

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on pay equity, wage claims, minimum wage, minimum employment conditions, employment of minors, workers' compensation insurance, and unemployment insurance.