

HB 2655 STAFF MEASURE SUMMARY

House Committee On Business and Labor

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Meeting Dates: 2/13

WHAT THE MEASURE DOES:

Establishes unlawful employment practice for employer to prohibit employee or potential employee from using a substance legal in Oregon during nonworking hours. Allows exception if the restriction relates to a bona fide occupational qualification or to the performance of work while impaired. Provides that restriction does not apply if collective bargaining agreement prohibits off-duty use of the substance. Declares emergency, effective on passage.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Under current Oregon law, an employer may not prohibit an employee or prospective employee from using tobacco products during nonworking hours. However, an employer may prohibit the use of other products legal in Oregon, including marijuana.

House Bill 2655 prohibits employers from banning the use of marijuana and other products legal to Oregon by their employees or prospective employees during nonworking hours, unless the restriction relates to an employee's impairment at work, non-use of the product is a bona fide occupational qualification, or the restriction is included in the relevant collective bargaining agreement.