

Senate Bill 83

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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**.

Expands prohibition against requiring employee to pay cost of medical examination as condition of employment to include consideration for employment. Extends prohibition to cover job applicants and prospective employees.

A BILL FOR AN ACT

1
2 Relating to payment of the cost of medical examinations used as a basis for employment decisions;
3 amending ORS 659A.306.

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

5 **SECTION 1.** ORS 659A.306 is amended to read:

6 659A.306. (1) It is an unlawful employment practice for any employer to require **a job applicant,**
7 an employee[,] **or a prospective employee,** as a condition of **consideration for or** continuation of
8 employment, to pay the cost of any medical examination or the cost of furnishing any health certifi-
9 cate.

10 (2) Notwithstanding subsection (1) of this section, it is not an unlawful employment practice for
11 an employer to require the payment of medical examination or health certificate costs:

12 (a) From health and welfare fringe benefit moneys contributed entirely by the employer; or

13 (b) By the employee if the medical examination or health certificate is required pursuant to a
14 collective bargaining agreement, state or federal statute or city or county ordinance.

15 **(3) Nothing in this section permits an employer to require a medical examination or make**
16 **inquiries that otherwise would be prohibited under ORS 659A.133 or 659A.136.**

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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.