

Senate Bill 84

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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**.

Broadens standard under which employment discrimination based on family members may be proved.

A BILL FOR AN ACT

1
2 Relating to discrimination because of employment of another family member; amending ORS
3 659A.309.

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

5 **SECTION 1.** ORS 659A.309 is amended to read:

6 659A.309. (1) Except as provided in subsection (2) of this section, it is an unlawful employment
7 practice for an employer [*solely*] because another member of an individual's family works or has
8 worked for that employer to:

9 (a) Refuse to hire or employ an individual;

10 (b) Bar or discharge from employment an individual; or

11 (c) Discriminate against an individual in compensation or in terms, conditions or privileges of
12 employment.

13 (2) An employer is not required to hire or employ and is not prohibited from barring or dis-
14 charging an individual if such action:

15 (a) Would constitute a violation of any law of this state or of the United States, or any rule
16 promulgated pursuant thereto, with which the employer is required to comply;

17 (b) Would constitute a violation of the conditions of eligibility for receipt by the employer of
18 financial assistance from the government of this state or the United States;

19 (c) Would place the individual in a position of exercising supervisory, appointment or grievance
20 adjustment authority over a member of the individual's family or in a position of being subject to
21 such authority which a member of the individual's family exercises; or

22 (d) Would cause the employer to disregard a bona fide occupational requirement reasonably
23 necessary to the normal operation of the employer's business.

24 (3) As used in this section, "member of an individual's family" means the spouse in a marriage,
25 son, daughter, parent, brother, brother-in-law, sister, sister-in-law, son-in-law, daughter-in-law,
26 parent-in-law, aunt, uncle, niece, nephew, stepparent or stepchild of the individual.

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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.