



Oregon moms and caregivers fighting
for gender, economic, and racial justice.

To: House Committee on Business and Labor
From: Family Forward Oregon
Date: March 13, 2023
RE: In Opposition to HB 3205

Chair Holvey, Vice-Chairs Elmer and Sosa, Members of the Committee,

For the record, my name is Courtney Veronneau. I am the Senior Political Director at Family Forward Oregon, a statewide grassroots advocacy organization working to improve systems of care and workplace conditions for mothers and caregivers through fighting for economic, racial, and gender justice. Thank you for the opportunity to share our opposition to HB 3205, as currently drafted.

Family Forward Oregon worked hard in 2017 with partners and legislators to ensure we have a strong equal pay law in Oregon. We commend the Legislature's great work on the Pay Equity Act of 2017 (HB 2005), which provided several very important provisions to end pay inequity in Oregon. We understand that substantial policies often need to be revised as issues arise in implementation or there is a change in on-the-ground conditions. However, HB 3205 actually makes a significant structural change to the underlying statute and creates a loophole that is counter to the intent of the original legislation.

HB 3205 amends the definition of compensation to exclude hiring and retention bonuses. By doing this, employers are no longer held to the same pay equity standards for these types of bonuses. As drafted, HB 3205 would effectively create a massive loophole in Oregon's pay equity law that would allow both unconscious bias and overt acts of pay discrimination against Oregonians in one or more protected classes.

However, as written, HB 3205 would remove hiring and retention bonuses as a form of compensation that employers would need to consider in their own pay equity analysis and would effectively create a massive loophole in Oregon's pay equity law that would allow both unconscious bias and overt acts of pay discrimination against Oregonians in one or more protected classes. What would this look like in practice? Here are a few very plausible scenarios that could and likely would happen if HB 3205 is passed as currently written:

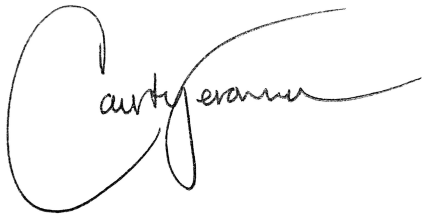
- An employer is hiring for two identical positions and wants to give one of the positions to a woman and one to man. But a hiring bonus is only offered to the man or the man is offered a larger hiring bonus, even though both prospective employees have similar education and experience. Or;

- Regardless of similar education, experience, seniority, and job duties an employer routinely gives larger retention bonuses to white employees over employees of color.

All this being said, Family Forward Oregon is not oblivious to the current workforce shortages impacting several industries, and we certainly do not want to stand in the way of potential increased compensation for Oregonians across the state. We would welcome the opportunity to engage in conversation with the bill's proponents moving forward to achieve the needs of Oregon employers, while still honoring and protecting the original intent of the Pay Equity Act.

Thank you again for the opportunity to share our concerns with HB 3205 as currently drafted. We would be more than happy to engage in further conversations about possible amendments.

Sincerely,

A handwritten signature in black ink, appearing to read "Courtney Veronneau". The signature is fluid and cursive, with a large initial "C" and a long, sweeping tail.

Courtney Veronneau
Sr. Political Director
Family Forward Oregon