

SB 1119 -1, -3, -4 STAFF MEASURE SUMMARY

Senate Committee On Labor and Business

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Meeting Dates: 4/1, 4/8

WHAT THE MEASURE DOES:

The measure defines "federal immigration authority" and "unfair immigration-related practices." The measure makes it an unlawful practice for an employer to engage in unfair immigration-related practices.

FISCAL: May have fiscal impact, but no statement yet issued

REVENUE: May have revenue impact, but no statement yet issued

ISSUES DISCUSSED:

- Existing legal protections based on national origin
- Meaning of "unfair immigration-related practices"
- Potential impact on employees and employers

EFFECT OF AMENDMENT:

-1 Replaces the measure. The amendment defines "federal immigration authority" and "unfair immigration-related practices." The amendment makes it an unlawful practice for an employer to engage in unfair immigration-related practices. The amendment requires the Commissioner of the Bureau of Labor and Industries to impose on an employer a civil penalty for an unfair immigration-related practice and specifies the amount of the civil penalty.

FISCAL: May have fiscal impact, but no statement yet issued

REVENUE: May have revenue impact, but no statement yet issued

-3 Replaces the measure. The amendment defines "federal immigration authority" and "unfair immigration-related practices." The amendment makes it an unlawful practice for an employer to engage in unfair immigration-related practices. The amendment requires the Commissioner of the Bureau of Labor and Industries to impose a civil penalty on an employer for violation of the law requiring employers to provide notice to employees of an upcoming inspection from a federal agency that compels the employer to provide access to records of forms and any other documentation used by the employer to verify identity and employment eligibility of employees.

Fiscal impact: Fiscal impact issued

Revenue impact: No revenue impact

-4 Replaces the measure. The amendment defines "federal immigration authority" and "unfair immigration-related practices." The amendment makes it an unlawful practice for an employer to engage in unfair immigration-related practices. The amendment requires the Commissioner of the Bureau of Labor and Industries to impose a civil penalty, not to exceed \$1,000 per violation, on an employer for violation of the law requiring employers to provide notice to employees of an upcoming inspection from a federal agency that compels the employer to provide access to records of forms and any other documentation used by the employer to verify identity and employment eligibility of employees.

Fiscal impact: Fiscal impact issued

Revenue impact: No revenue impact

BACKGROUND:

ORS chapter 659A codifies Oregon law related to unlawful discrimination in employment, public accommodations, and real property transactions. ORS 659A.003 declares the purpose of this chapter of Oregon law, including to "encourage the fullest utilization of the available workforce by removing arbitrary standards of race, color, religion, sex, sexual orientation, gender identity, national origin, marital status, age, or disability as a barrier to employment of the inhabitants of this state[.]" Oregon law makes it an unlawful practice for an employer to discriminate against someone at work based on such things as their race, national origin, color, sex, gender identity, sexual orientation, age, religion, physical or mental disability, marital or family status, or military status. It is also unlawful for an employer to retaliate against an employee because the employee makes a good faith complaint that the employer is acting unlawfully. Oregon law permits a person to pursue a claim for an unlawful employment practice through a civil action in circuit court or by filing a complaint with the Commissioner of the Bureau of Labor and Industries.

Senate bill 1119 makes it an unlawful practice for an employer to engage in unfair immigration-related practices.