

TRAVIS NELSON
STATE REPRESENTATIVE
HOUSE DISTRICT 44
NORTH/NORTHEAST PORTLAND



HOUSE OF REPRESENTATIVES

Testimony in Support of House Bill 4093

Chair Grayber, Vice Chair Munoz, Vice-Chair Scharf and Members of the House Labor and Workplace Development Committee,

My name is Travis Nelson, and I am the State Representative for House District 44 of North and Northeast Portland.

Oregon rightfully prides itself on fairness, opportunity, and workforce participation. However, when it comes to employment for people with disabilities, the data tells a different story. [The Center for Research on Disability](#) estimates that there are 660,000 people with disabilities in Oregon, and that 181,000 of them are employed. That means about 27.5% of Oregonians with disabilities are employed. This ranks us right around the middle nationally. This tells us that many people are being sidelined not because they can't work, but because the system still isn't working for them. At a time when workforce participation and economic development are top priorities, HB 4093 helps people with disabilities enter, stay in, and contribute to the workforce which directly benefits the workers, employers, and Oregon.

Currently, BOLI already provides guidance for employer's, however, HB 4093 will go a step further and ensure employees will have further access to clear information about their rights and available resources. HB 4093 also clarifies that physical requirements in job postings must be tied to essential job functions. This is critical because many people with disabilities self-screen out before ever applying for many positions.

This bill also allows employees to bring a support person to reasonable accommodation meetings and only upon their request. For some, these are conversations that can be complex and intimidating and this move will help ensure those discussions are informed, fair, and productive.

Lastly, local governments have been added into non-discrimination statutes with state government. This adds uniformity at all levels of government in Oregon. We have heard from local governments that they are already in compliance with these statutes because they are already following federal guidelines.

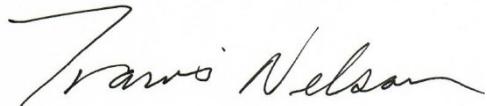
Yes, Federal law does have some protections for people with disabilities. However, many of those protections exist in federal rules or guidance, not in statute, and, as we know, federal standards can change.

After hearing concerns from stakeholders, we have an amendment on the way. Language in the current bill on OLIS regarding physical requirements was interpreted to imply that the use of physical requirements is intended to screen out people with disabilities from certain jobs. Let me be clear, that was not my intent. That language was meant to clarify that employers may still use physical requirements, and it will be removed.

An additional amendment will also change the current version of “authorized representative” to “support person” to alleviate concerns about the representative joining the employee. My intent with this section has always been to allow for a supportive person – chosen by the worker – to attend the meeting and this will make clear that the additional person’s role is solely to support the employee requesting accommodations.

The committee may hear that Oregon already has strong laws. But ranking in the middle nationally is not good enough. Oregon should always strive to do better, and HB 4093 provides needed clarity and stability for both workers and employers. HB 4093 supports a more inclusive workforce and, in turn, a stronger economy. Oregon has always aimed to lead, and I urge your support.

Sincerely,

A handwritten signature in black ink, appearing to read "Travis Nelson".

State Representative Travis Nelson
House District 44, North/NE Portland