77th OREGON LEGISLATIVE ASSEMBLY – 2013 Regular Session STAFF MEASURE SUMMARY House Committee on Rules

FISCAL: Fiscal statement issued	
Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	7 - 2 - 0
Yeas:	Barnhart, Berger, Dembrow, Holvey, Hoyle, Jenson, Garrett
Nays:	Hicks, Kennemer
Exc.:	0
Prepared By:	Erin Seiler, Administrator
Meeting Dates:	5/1

REVENUE: No revenue impact FISCAL: Fiscal statement issued

WHAT THE MEASURE DOES: Establishes workplace protections for domestic workers. Clarifies that definition of domestic worker includes individual who is not compensated by state agency for work performed. Excludes from definition of domestic workers employees employed by licensed home health agency or in-home care agency. Designates violation unlawful employment practice. Directs Bureau of Labor and Industries to adopt rules related to domestic workers.

ISSUES DISCUSSED:

- Definition of domestic worker
- Impact of amendment

EFFECT OF COMMITTEE AMENDMENT: Clarifies that definition of domestic worker includes individual who is not compensated by state agency for work performed. Excludes from definition of domestic workers employees employed by licensed home health agency or in-home care agency.

BACKGROUND: A 2012 study by the Center for Urban Economic Development at the University of Illinois at Chicago notes that despite the importance of domestic workers in the nation's economy, the workers are often employed in substandard jobs and are not covered by many federal and state labor protections.

House Bill 2672-B establishes the duties and responsibilities of those who employ domestic workers. The measure requires the employer to provide written notice regarding hours, wages, and leave. The employer must pay overtime if more than 40 hours in a week are worked, or more than 44 hours are worked by live-in domestic workers. The measure also specifies rest and sleep requirements, as well as record keeping requirements for the employer. The employer is prohibited from requesting possession of the worker's passport; from engaging in unwelcome verbal or physical conduct of a sexual nature; from subjecting the worker to harassment based on gender, race, religion, disability, sexual orientation or national origin; and from retaliating if the worker inquires about their rights, reports a violation, or files a complaint.