

D R A F T

SUMMARY

Establishes Task Force on Family-Friendly Public Contracting and prescribes membership for task force. Requires task force to develop framework for giving preference in public contracting to contractors that have family-friendly employment practices. Provides examples of family-friendly employment practices.

Sunsets December 31, 2015.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to preferences in public contracting for contractors that have
3 family-friendly employment practices; and declaring an emergency.

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

5 **SECTION 1. (1) The Task Force on Family-Friendly Public Con-**
6 **tracting is established, consisting of 15 members appointed as follows:**

7 (a) **The President of the Senate shall appoint two members from**
8 **among members of the Senate.**

9 (b) **The Speaker of the House of Representatives shall appoint two**
10 **members from among members of the House of Representatives.**

11 (c) **The Commissioner of the Bureau of Labor and Industries shall**
12 **appoint a representative from the Bureau of Labor and Industries.**

13 (d) **The Director of the Oregon Department of Administrative Ser-**
14 **vices shall appoint a representative from the Statewide Procurement**
15 **Policy Office.**

16 (e) **The Governor shall appoint nine members as follows:**

17 (A) **One member who represents a large business in Oregon that**
18 **has performed public contracts within this state;**

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.

1 **(B) One member who represents a small business in Oregon that**
2 **has performed public contracts within this state;**

3 **(C) Two members who represent labor organizations within this**
4 **state;**

5 **(D) Two members who represent antipoverty organizations within**
6 **this state;**

7 **(E) Two members who represent groups that are dedicated to eco-**
8 **nomiic justice for women; and**

9 **(F) One member of the public.**

10 **(2) The task force shall:**

11 **(a) Develop a framework for giving a preference in public con-**
12 **tracting to contractors that follow family-friendly employment prac-**
13 **tices, including but not limited to:**

14 **(A) Providing opportunities for employees to have flexible, predict-**
15 **able scheduling, part-time work hours and other practices that enable**
16 **employees to arrange child care;**

17 **(B) Allowing employees to accrue paid leave to use in small incre-**
18 **ments for activities during the workday, such as to attend parent-**
19 **teacher conferences or school events or fulfill other family obligations;**

20 **(C) Enabling part-time employees to accrue benefits on a prorated**
21 **basis;**

22 **(D) Paying employees a living wage;**

23 **(E) Conducting regular self-audits of the employer's employment**
24 **practices with a focus on:**

25 **(i) Preventing misclassifications of employees as independent con-**
26 **tractors, or nonexempt employees as exempt employees; and**

27 **(ii) Ensuring pay equity among positions that male employees hold**
28 **predominantly and positions that female employees hold predomi-**
29 **nantly where the positions require comparable levels of skill, training**
30 **or unique knowledge; and**

31 **(F) Providing all employees with a written employee handbook that**

1 **prohibits harassment or discrimination based on an employee's sex or**
2 **family status, that outlines a recourse for an aggrieved employee and**
3 **that explicitly prohibits retaliation of any kind for reporting violations**
4 **of the employer's policies.**

5 **(b) Provide suggestions for accommodating the preferences specified**
6 **in paragraph (a) of this subsection with existing preferences in public**
7 **contracting for disadvantaged businesses and minority-owned,**
8 **women-owned and emerging small businesses.**

9 **(3) The task force may hear or take testimony from any person,**
10 **conduct studies, recommend best practices and otherwise take any**
11 **action necessary to carry out the functions identified in subsection (2)**
12 **of this section.**

13 **(4) A majority of the voting members of the task force constitutes**
14 **a quorum for the transaction of business.**

15 **(5) Official action by the task force requires the approval of a ma-**
16 **jority of the voting members of the task force.**

17 **(6)(a) The task force shall elect one member to serve as chair-**
18 **person.**

19 **(b) The task force by majority vote may expand the membership**
20 **of the task force if necessary to enable the task force to carry out the**
21 **purposes identified in subsection (2) of this section.**

22 **(7) If there is a vacancy for any cause, the appointing authority**
23 **shall make an appointment to become immediately effective.**

24 **(8) The task force shall meet at times and places specified by the**
25 **call of the chairperson or of a majority of the voting members of the**
26 **task force.**

27 **(9) The task force may adopt rules necessary for the operation of**
28 **the task force.**

29 **(10) The task force shall submit a report in the manner provided**
30 **by ORS 192.245, and may include recommendations for legislation, to**
31 **an interim committee of the Legislative Assembly related to public**

1 **contracting as appropriate no later than September 15, 2015.**

2 **(11) The Bureau of Labor and Industries shall provide staff support**
3 **to the task force.**

4 **(12) Members of the task force who are not members of the Legis-**
5 **lative Assembly are not entitled to compensation, but may be reim-**
6 **bursed for actual and necessary travel and other expenses incurred by**
7 **them in the performance of their official duties in the manner and**
8 **amounts provided for in ORS 292.495. Claims for expenses incurred in**
9 **performing functions of the task force shall be paid out of funds ap-**
10 **propriated to the Bureau of Labor and Industries for purposes of the**
11 **task force.**

12 **(13) All agencies of state government, as defined in ORS 174.111, are**
13 **directed to assist the task force in the performance of its duties and,**
14 **to the extent permitted by laws relating to confidentiality, to furnish**
15 **such information and advice as the members of the task force consider**
16 **necessary to perform their duties.**

17 **SECTION 2. Section 1 of this 2015 Act is repealed on December 31,**
18 **2015.**

19 **SECTION 3. This 2015 Act being necessary for the immediate pres-**
20 **ervation of the public peace, health and safety, an emergency is de-**
21 **clared to exist, and this 2015 Act takes effect on its passage.**

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