

Senate Bill 1570

Sponsored by Senator COURTNEY (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Modifies definitions applicable to pay equity provisions.

A BILL FOR AN ACT

1
2 Relating to pay equity; amending ORS 652.210.

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

4 **SECTION 1.** ORS 652.210 is amended to read:

5 652.210. As used in ORS 652.210 to 652.235, unless the context requires otherwise:

6 (1) **“Appointing authority” means the person who has authority to hire, transfer, sus-**
7 **pend, lay off, recall, promote, discipline or terminate an employee.**

8 [(1)] (2) “Compensation” includes wages, salary, bonuses, benefits, fringe benefits and equity-
9 based compensation.

10 [(2)] (3) “Employee” means any individual who, otherwise than as a copartner of the employer,
11 as an independent contractor or as a participant in a work training program administered under the
12 state or federal assistance laws, renders personal services wholly or partly in this state to an em-
13 ployer who pays or agrees to pay such individual at a fixed rate. However, when services are ren-
14 dered only partly in this state, an individual is not an employee unless the contract of employment
15 of the employee has been entered into, or payments thereunder are ordinarily made or to be made,
16 within this state.

17 [(3)(a)] (4)(a) “Employer” means:

18 (A) Any person employing one or more employees, including the State of Oregon or any political
19 subdivision thereof or any county, city, district, authority, public corporation or entity and any of
20 their instrumentalities organized and existing under law or charter.

21 (B) **For employees of the legislative department, as defined in ORS 174.114, an appointing**
22 **authority.**

23 (b) “Employer” does not include the federal government.

24 [(4)] (5) “Equal-pay analysis” means an evaluation process to assess and correct wage disparities
25 among employees who perform work of comparable character.

26 [(5)] (6) “Protected class” means a group of persons distinguished by race, color, religion, sex,
27 sexual orientation, national origin, marital status, veteran status, disability or age.

28 [(6)] (7) “Rate” with reference to wages means:

29 (a) The basis of compensation for services by an employee for an employer; and

30 (b) Compensation based on the time spent in the performance of the services, on the number of
31 operations accomplished or on the quantity produced or handled.

32 [(7)] (8) “Sexual orientation” has the meaning given that term in ORS 174.100.

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 [(8)] **(9)** “System” means a consistent and verifiable method in use at the time that a violation
2 is alleged under ORS 652.220.

3 [(9)] **(10)** “Unpaid wages” means the difference between the wages actually paid to an employee
4 and the wages required under ORS 652.220 to be paid to the employee.

5 [(10)] **(11)** “Veteran status” means an individual is a veteran as defined in ORS 408.225.

6 [(11)] **(12)** “Wages” means all compensation for performance of service by an employee for an
7 employer, whether paid by the employer or another person, or paid in cash or any medium other
8 than cash.

9 [(12)] **(13)** “Working conditions” includes work environment, hours, time of day, physical sur-
10 roundings and potential hazards encountered by an employee.

11 [(13)] **(14)** “Work of comparable character” means work that requires substantially similar
12 knowledge, skill, effort, responsibility and working conditions in the performance of work, regardless
13 of job description or job title.

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