

HB 2938 STAFF MEASURE SUMMARY

House Committee On Business and Labor

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Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 2/15

WHAT THE MEASURE DOES:

Establishes 11-member Task Force on Age Discrimination to identify and evaluate impacts of age discrimination in the workplace and establish policy recommendations to deter age discrimination. Directs Task Force to submit report containing its findings and recommendations to interim legislative committees related to business and labor by September 15, 2022. Sunsets Task Force on December 31, 2022. Declares emergency, effective on passage.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

ORS 659A.009 declares that it is the public policy of Oregon to utilize the available workforce to the fullest extent possible, and that the abilities of individuals should be the measure of their fitness and qualification for employment, not any arbitrary standards that discriminate against an individual solely because of age. ORS 659A.030 establishes that it is an unlawful employment practice for any Oregon employer, regardless of size:

- To refuse to employ or to discharge an individual because of age if the individual is at least 18 years old;
- To discriminate in compensation or privileges of employment because of age if the individual is at least 18 years old;
- For labor organizations, to exclude or expel from membership any individual because of age if the individual is at least 18 years old;
- To recruit employees in any way that expresses discrimination as to an individual's age if the individual is at least 18 years old; or
- For employment agencies, to fail or refuse to refer an individual for employment because of age if the individual is at least 18 years old.

House Bill 2938 establishes the Task Force on Age Discrimination to conduct a review of the impacts of age discrimination in the workplace and report its findings and recommendations to the Legislative Assembly by September 15, 2022. The Task Force is comprised of two Senators and two Representatives who serve as nonvoting members, as well as seven members appointed by the Governor who represent the following entities or interests:

- One member represents a statewide nonprofit organization that advocates on behalf of seniors,
- One member represents a labor organization,
- One member represents petitioners of age discrimination claims,
- Three members represent interests of employers and businesses, and
- One member represents the Civil Rights Division of the Bureau of Labor and Industries.

Non-legislator members serve as volunteers and are not entitled to compensation or reimbursement. The Legislative Policy and Research Office shall provide staff support to the Task Force.