



## Summary of new laws passed by the 2009 legislature

*The following summary lists the bills passed during the 2009 legislative session that relate to employment law. The bills are shown in alphabetical order by subject matter. As this is only a summary, it does not include every detail of every bill. If you are viewing this document electronically, you can click on the bill number to see the final version of the bill.*

### **Employment practices: Disabilities**

It is already an unlawful employment practice for an employer to discriminate on the basis of disability. This bill makes several amendments to the definition of "disability."

Applies to conduct occurring on or after January 1, 2010.

[Senate Bill 874](#)

### **Employment practices: Members of uniformed services**

It is an unlawful employment practice for an employer to discriminate against an employee because of the employee's service as a member of the armed forces. There is an exception for employers who are unable to make reasonable accommodation.

Applies to conduct occurring on or after January 1, 2010.

[House Bill 3256](#)

### **Employment practices: Military family leave**

A new category of leave is created. A spouse of a member of the military services called to active duty is entitled to a total of 14 days of unpaid leave per deployment to be taken before deployment or during leave from deployment. The leave taken will be deducted from the total leave entitlement under the Oregon Family Leave Act (OFLA). Eligibility requirements for employers and employees are similar, but not identical, to requirements for OFLA.

It will be an unlawful employment practice to discriminate against an employee who seeks to make use of this leave.

Took effect June 25, 2009.

[House Bill 2744](#)

### **Employment practices: Religious practices**

It is an unlawful employment practice for an employer to refuse to allow an employee to wear religious clothing or take leave to engage in religious observances, unless a reasonable accommodation imposes an undue hardship on the employer. Safety and health requirements of the facility and the safety of employees are factors that may be considered by the employer.

Takes effect January 1, 2010.

[Senate Bill 786](#)

### **Employment practices: Support enforcement orders**

When an employer has been served with a child support order, the employer incurs a legal liability to the obligor and the obligee for failure to withhold correctly and timely. The liability extends to consequential damages. There is no cap on the damages that may be awarded.

Takes effect January 1, 2010 and applies to existing and future orders to withhold, but does not apply to amounts withheld before the effective date.

[Senate Bill 373](#)

### **Employment practices: Veterans' preference**

The 15-year deadline to use veterans' preference points for civil service positions has been eliminated. The points may be used at any time after discharge.

Applies to applications submitted on or after January 1, 2010.

[House Bill 2510](#)

### **Employment practices: Victims of certain crimes**

It is an unlawful employment practice for an employer to discriminate against victims of domestic violence, sexual assault, or stalking. It is also an unlawful employment practice to refuse to make reasonable safety accommodations, unless doing so would impose an undue hardship.

Applies to conduct occurring on or after January 1, 2010.

[Senate Bill 928](#)

### **Employment practices: Whistle-blowing**

It is an unlawful employment practice for any employer to discriminate or take employment action against an employee who, in good faith, reports a violation of statute or rule.

Applies to actions commenced on or after January 1, 2010.

[House Bill 3162](#)

### **Employment practices: Workplace communication**

Employers may not take any adverse employment action against an employee, in most circumstances, when the employee declines to participate in a meeting convened by the employer for the primary purpose of expressing the employer's view on political or religious matters. "Political matters" includes an employee's choice to join or support political parties, civic organizations, and labor unions.

The employee may bring civil action against the employer for damages.

Takes effect January 1, 2010.

[Senate Bill 519](#) amended by [House Bill 3507](#)