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2012 OREGON LEGISLATIVE SESSION

Labor and Employment Laws

The 2012 Oregon legislative session convened on February 1, 2012. A number of bills have been introduced that may impact Oregon employers and employees. What follows is a summary analysis and status update on each of the proposed laws. If you are interested in reading the full-text of a particular bill, follow the link provided. For more information, please send an e-mail to our [Labor and Employment attorneys](#), Andrew Lewis and Amanda Walkup.

Bill	Summary	Status
HB 4074	<p>This bill permits insurers, multiple employer welfare arrangements, health care service contractors and self-insured employee health benefit plans to offer health benefit plans that pay cash dividends to enrollees who participate in a wellness program. It also permits employers to pay additional cash dividends to participating employees. The bill defines eligible wellness program. Creates subtraction from federal taxable income for cash dividends of \$1,000 or less that are paid for participation in wellness program.</p> <p>If passed, this bill will take effect on January 1, 2013.</p>	<p>First reading 02/01/12. Referred to Health Care with subsequent referral to Revenue. Work session held 02/10/12. Committee recommended passage. Referred to Revenue by prior reference.</p>
HB 4096	<p>This bill creates income tax credit for the hiring of a qualified employee who was previously employed by the taxpayer with fewer than 100 employees. Applies to tax years beginning on or after January 1, 2013, and prior to January 1, 2014.</p> <p>If passed, this bill will take effect on 91st day following adjournment sine die.</p>	<p>First reading 02/01/12. Referred to Business and Labor with subsequent referral to Revenue.</p>

This summary provides general information and should not be construed as legal advice or a legal opinion on any specific facts or circumstances. If you have specific legal questions, you are urged to consult with your attorney concerning your own situation.

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<p><u>HB 4118</u></p>	<p>This bill creates subtraction from federal taxable income for health insurance premium payments made during tax year by individual taxpayer for health benefit coverage of taxpayer, taxpayer's spouse or dependents. Applies to tax years beginning on or after January 1, 2013.</p> <p>If passed, this bill will take effect on January 1, 2013.</p>	<p>First reading 02/01/12. Referred to Health Care with subsequent referral to Revenue.</p>
<p><u>HB 4120</u></p>	<p>This bill creates income tax credit for hiring of long-term unemployed worker. Applies to tax years beginning on or after January 1, 2013, and prior to January 1, 2017.</p> <p>If passed, this bill will take effect on 91st day following adjournment sine die.</p>	<p>First reading 02/01/12. Referred to Business and Labor with subsequent referral to Revenue.</p>
<p><u>HB 4124</u></p>	<p>This bill allows eligible employees to take family leave to deal with the death of a family member. It limits the period of leave to two weeks or to six weeks with medical verification. That leave would be counted towards the total period of authorized family leave.</p> <p>If passed, this bill will take effect on January 1, 2013.</p>	<p>First reading 02/01/12. Referred to Business and Labor.</p>
<p><u>HB 4131</u></p>	<p>This bill directs certain agencies of state government that have not attained a ratio of 11 to 1 of public employees to supervisory employees to increase ratio of public employees to supervisory employees by at least one public employee not later than July 1, 2012.</p> <p>Effective upon passage.</p>	<p>First reading on 2/1/12. Referred to General Government and Consumer Protection with subsequent referral to Ways and Means.</p> <p>On 02/09/12, the committee recommended passage with amendments. Referred to Ways and Means by prior reference.</p>
<p><u>HB 4145</u></p>	<p>This bill prohibits publication of advertisement for job vacancy that limits applicants to persons who are not currently unemployed. Imposes civil penalty for violation. (See SB 1548)</p> <p>Effective upon passage.</p>	<p>First reading on 02/01/12. Referred to Business and Labor.</p>

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<p><u>HB 4162</u></p>	<p>This bill extends certain employee protections to individuals performing work for educational purposes.</p> <p>Effective upon passage.</p>	<p>First reading on 02/01/12. Referred to Business and Labor. Public hearing held 02/13/2012.</p>
<p><u>SB 1503</u></p>	<p>This bill would require health care workers to supply their employer, on a yearly basis, with evidence that the worker has received an annual flu shot, or a declaration that the worker has declined a flu shot and the reasons for the declination. The employer would be required to report that information to the Oregon Health Authority. This bill would also prohibit an employer from requiring a flu shot as a condition of employment.</p> <p>Effective upon passage.</p>	<p>First reading on 02/01/12. Referred to Health Care, Human Services and Rural Health Policy.</p> <p>On 02/13/12, passed in the Senate with amendments. Will move to the House.</p>
<p><u>SB 1548</u></p>	<p>This bill prohibits employers from publishing job advertisements that limit applicants to persons who are currently employed. As an exception to this prohibition, employers would be permitted to limit applicants to current employees of that employer. Violators would be subject to a penalty imposed by BOLI. (See HB 4145)</p> <p>Effective upon passage.</p>	<p>First reading on 02/01/12. Referred to General Government, Consumer and Small Business Protection.</p> <p>Public hearing held on 02/08/12. Work session held on 02/13/12.</p>
<p><u>SB 1555</u></p>	<p>This bill would require school districts to adopt a policy prohibiting harassment, intimidation or bullying (including cyberbullying), and would also require employees to report acts of harassment, intimidation or bullying (including cyberbullying). Any employee who reported such conduct would be immune from liability for failing to remedy the act of harassment or bullying.</p> <p>If passed, this bill would take effect on July 1, 2012.</p>	<p>First reading on 02/01/12. Referred to Education and Workforce Development. Public hearing and work session held on 02/13/12.</p>

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The following employment related bills were introduced but did not pass, and will not become law.

Bill	Summary

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