

A-Engrossed
House Bill 3061

Ordered by the House April 20
Including House Amendments dated April 20

Sponsored by COMMITTEE ON BUSINESS AND LABOR

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.

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 **for goods or services** 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 family-friendly employment
3 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 Contracting is established,**
6 **consisting of 15 members appointed as follows:**

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

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

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

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

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

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

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

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

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

22 (E) **Two members who represent groups that are dedicated to economic justice for**
23 **women; and**

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

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

26 (a) **Develop a framework for giving a preference in public contracting for goods or ser-**

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 vices under ORS chapter 279B to contractors that follow family-friendly employment prac-
2 tices, including but not limited to:

3 (A) Providing opportunities for employees to have flexible, predictable scheduling, part-
4 time work hours and other practices that enable employees to arrange child care;

5 (B) Allowing employees to accrue paid leave to use in small increments for activities
6 during the workday, such as to attend parent-teacher conferences or school events or fulfill
7 other family obligations;

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

9 (D) Paying employees a living wage;

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

12 (i) Preventing misclassifications of employees as independent contractors, or nonexempt
13 employees as exempt employees; and

14 (ii) Ensuring pay equity among positions that male employees hold predominantly and
15 positions that female employees hold predominantly where the positions require comparable
16 levels of skill, training or unique knowledge; and

17 (F) Providing all employees with a written employee handbook that prohibits harassment
18 or discrimination based on an employee's sex or family status, that outlines a recourse for
19 an aggrieved employee and that explicitly prohibits retaliation of any kind for reporting vio-
20 lations of the employer's policies.

21 (b) Provide suggestions for accommodating the preferences specified in paragraph (a) of
22 this subsection with existing preferences in public contracting for disadvantaged businesses
23 and minority-owned, women-owned and emerging small businesses.

24 (3) The task force may hear or take testimony from any person, conduct studies, re-
25 commend best practices and otherwise take any action necessary to carry out the functions
26 identified in subsection (2) of this section.

27 (4) A majority of the voting members of the task force constitutes a quorum for the
28 transaction of business.

29 (5) Official action by the task force requires the approval of a majority of the voting
30 members of the task force.

31 (6)(a) The task force shall elect one member to serve as chairperson.

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

35 (7) If there is a vacancy for any cause, the appointing authority shall make an appoint-
36 ment to become immediately effective.

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

39 (9) The task force may adopt rules necessary for the operation of the task force.

40 (10) The task force shall submit a report in the manner provided by ORS 192.245, and
41 may include recommendations for legislation, to an interim committee of the Legislative
42 Assembly related to public contracting as appropriate no later than September 15, 2015.

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

44 (12) Members of the task force who are not members of the Legislative Assembly are not
45 entitled to compensation, but may be reimbursed for actual and necessary travel and other

1 expenses incurred by them in the performance of their official duties in the manner and
2 amounts provided for in ORS 292.495. Claims for expenses incurred in performing functions
3 of the task force shall be paid out of funds appropriated to the Bureau of Labor and Indus-
4 tries for purposes of the task force.

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

9 SECTION 2. Section 1 of this 2015 Act is repealed on December 31, 2015.

10 SECTION 3. This 2015 Act being necessary for the immediate preservation of the public
11 peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect
12 on its passage.
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