

Hello Everyone -

For those of you who may remember that I said the 2019 Session might end early — never trust me again!! So much for listening to the gossip, or so called “in crowd” or “insider” info, etc. I’m writing this on Sunday, June 30th, the very last day that proceedings regarding the 2019 Session could actually take place. As a matter of fact, I’m sending this email at the very cusp of *sine die* [Session adjournment]. As I re-read the email, the Session has ended. Whew!!

I’m sure many of you have been watching the circumstances surrounding the second Republican Senate walkout regarding the Cap & Trade / Climate Change bill. It’s been a wild ride! The first walkout resulted in the demise of vaccine and omnibus gun control legislation. On the positive side, however, Oregon’s K - 12 students will hopefully benefit from \$2 billion in increased expenditures funded by an increase in corporate taxes. If the Senators had not returned to establish a quorum by *sine die*, this referendum would have taken place in November, 2020, which would have been too late for the funding to reach schools in the 2020-2021 biennium. The referendum is now scheduled for a January special election.

The good news is that Paid Family and Medical Leave has finally passed.

Here are the essentials of the legislation: a workers’ compensation type system is set up whereby employers with more than 25 employees and all employees are required pay into a State-administered Paid Family and Medical Leave Insurance Fund. The bill provides for 12 weeks of paid family, medical and “safe” [where an employee is being subjected to unlawful employment discrimination] leave, plus 2 additional weeks of benefits for work limitations related to pregnancy, childbirth or a related medical condition. Total paid and unpaid leave can’t exceed 18 weeks per year. Employers with less than 25 employees may opt not to pay into the Fund, but employees working for these employers will still be eligible for paid leave. The amount of the benefit is tied to an average weekly wage computed by the State Employment Department. If the employee’s average weekly wage is less than 65% of the state-computed average weekly wage, the benefit will be 100% of the employee’s average weekly wage. If the employee’s average weekly wage is greater than 65% of the state-computed average weekly wage, the employee’s benefit is equal to the sum of 65% of the state-computed average weekly wage and 50% of the employee’s average weekly wage that is greater than 65% of the state-computed average weekly wage. There are a host of other provisions, i.e. administration of the program by the state, reporting requirements, what happens if the employer goes out of business, etc. etc. This is a GREAT victory for Oregon’s workers — and guess who will most directly benefit from this legislation? The women, child and families of Oregon.

Outcomes for AAUW of OR Priorities:

1. We held back some very troublesome potential changes to the Pay Equity Act of 2017. One of the proposals was to exempt "light duty" work from the equal pay requirement. We objected on the grounds that such a provision would give employers too much leeway, i.e. what is light work? Another effort sought to change one of the bona fide exceptions to the law by removing “regular” from “regular and necessary travel.” In other words, right now an employer can pay more to an employee who is required to travel on a regular and necessary basis. If one removed “regular,” an employer could send an employee [likely male] out on one job and thereby justify a significant wage increase. The most troublesome proposed change dealt with the 2017-mandated requirement that if an employer discovered an employee’s unlawful pay disparity, then the employer would have to eliminate the disparity at that time, as well as make progress towards eliminating it for those employees in that employee’s protected class. The proposal was to take out the requirement that the employer had to eliminate an employee’s disparity at the time it was discovered — and instead, required the employee to file a

lawsuit. The long and short of our negotiations is that employers no longer need to eliminate a wage disparity when it is first discovered, but if an unlawful disparity is discovered, they need to make reasonable and substantial progress towards eliminating disparities for all employees.

2. Title IX funding - Success! Funding for at least one full time Title IX employee at the Oregon Department of Education is now included in the “continuing service level” of ODE funding. A lot of work went into this success! That said — in two years we may need to ask for additional funding.

3. Age Discrimination — Did not pass. Right now if an employer can show one reason other than age for their negative employment decision, even their rationale is directly related to age, i.e. pension costs may increase, they can avoid liability. Our bill says if age is a factor, it’s discrimination and employers can’t discriminate on the basis of age. AARP and AAUW of OR will be revisiting this issue in the 2020 Session, so state tuned!

4. Prohibition of the practice of requiring employees to sign non-disclosure or no rehire agreements regarding discrimination, including sex discrimination — Success!

5. Requiring colleges, universities and community colleges to include parental status in student demographic information. Did not pass. We shall hopefully be more successful in 2020.

6. Requiring the Department of Corrections to provide tampons and sanitary napkins to female inmates for free. Success!

7. Extending statute of limitations within which one can file a lawsuit from 2 to 5 years for sexual harassment / assault cases — Success!

8. An individual subject to a court protective order — usually in domestic cases — is prohibited from possessing firearms if that person had an opportunity to contest the ruling. Success!

9. Increase in TANF benefits — Mostly a success! Here are the key elements of additional monies that will be devoted to TANF: \$10.5 million for a housing pilot program, \$4 million for increased investment in a housing stabilization program, \$1.5 million for mental and behavioral health Pilot programs and \$3.5 million for an education and training pilot program.

10. Increase in Earned Income Tax Credit Benefits — Mostly a Success! EITC benefits are scheduled to increase by 1%, thereby putting more money in the hands of Oregon’s low-income earners. We had hoped for 2% or 3% increases.

11. Requiring private agency caregivers providing personal care services to complete specified training and Prohibiting retaliation against in-home caregivers for making complaints. Success — this one just passed today.

12. Extension of confidential privilege for giving information in Capitol harassment cases. Success!!

13. Requirement that high school students demonstrate proficiency in civics. Did not Pass. The problem here is that civics is not a required topic for state testing. We will be looking into this topic more fully. Please let me know if you have any input here.

14. Cap & Trade / Climate Change Bill - Sadly, a bust. I left this item for last, but it is by no means the “least.”

So — MANY THANKS to everyone who made the effort to support the AAUW of OR Public Policy Agenda!!!

Plain and simple — it’s because of the AAUW of OR members who stopped up and communicated with their legislators about important issues that AAUW of OR was able to be as successful as it was in the 2019 Session. Many times, these calls to action also came at the last minute. As your State Public Policy Chair, I cannot tell you how gratifying it is to stop by a legislator’s office and be told — “oh, we just got some emails from AAUW.” It is because of this support that AAUW of OR has the credibility it needs in order to be a voice that’s heard in Salem.

Special thanks also go to our members of the State Public Policy Committee. You may have been lucky enough to participate in our 2019 Lobby Day this year, which is organized and run by the Committee. You may not know that the Committee works hard throughout the Session to advance the AAUW of OR Public Policy Agenda. We meet at least monthly and frequently Committee members are asked to respond to last-minute requests for suggestions and much-needed input. They always meet the challenge and as your State Public Policy Chair, I express my sincere gratitude for all the work the Committee has done. Special kudos to: *Georgia Applegate, Regina Ayars, Claire Berger, Laura Buhl, Nina Dabit, Andrea Goss, Linda Lybecker, Sharon Noone, Mary Pat Silviera and Joyce Zook.* Thanks also go to *Shilpi Banerjee* for her work as Vice Chair of the Committee. We miss you Shilpi!!

Conclusion

That’s it for AAUW of OR State Public Policy news for a while. I hope you thoroughly enjoy your summer. Please give a thought or two about the important issues AAUW of OR needs to address in the future, and then let me know!!

Trish Garner
AAUW-OR Public Policy Chair