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PERMANENT ADMINISTRATIVE ORDER

BLI 16-2019
CHAPTER 839
BUREAU OF LABOR AND INDUSTRIES

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10/31/2019 12:44 PM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Amends Employment Protections and Rights Relating to Pregnancy rule to implement OL CH. 139 (2019)

EFFECTIVE DATE: 01/01/2020

AGENCY APPROVED DATE: 10/31/2019

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AMEND: 839-005-0026

NOTICE FILED DATE: 09/26/2019

RULE SUMMARY: Implements changes made by HB 2341 (2019): Deletes language that would prevent an employer from providing reasonable accommodations for pregnant women.

CHANGES TO RULE:

839-005-0026

Employment Protections and Rights Relating to Pregnancy ¶¶

- (1) Pregnant ~~women~~ people are protected from sex discrimination in employment. ¶¶
- (2) ~~In judging the physical ability of an individual to work, pregnant women must be treated the same as males, non-pregnant females and other employees with off-the-job illnesses or injuries. ¶¶~~
- (3) ~~The statutes prohibit~~ ORS 659A prohibits discrimination regarding employee and dependent spouse or domestic partner benefits for pregnancy when employee and dependent spouse or domestic partner benefits exist for other medical conditions. ¶¶
- (43) ~~Women~~ An employee needing to be absent from work because of pregnancy or childbirth may have rights under the Oregon Family Leave Act, as provided in ORS 659A.150 to 659A.186 and OAR 839-009-0200 to 839-009-0320.

Statutory/Other Authority: ORS 659A.805

Statutes/Other Implemented: ORS 659A.029, 659A.030, 659A.150-.186, OL CH. 139, 2019