

Oregon: Definition of Compensation Modified for COVID-19 Public Health Emergency

Effective March 7, 2022, but no longer applicable 180 days after the COVID-19 public health emergency expires, compensation under the state's [equal pay laws](#) doesn't include:

- Hiring bonuses offered to prospective employees; or
- Retention bonuses offered to employees.

([SB 1514](#) signed by governor March 7, 2022)

Oregon: Employment Agreements Cannot Prevent Discrimination Disclosure

Effective January 1, 2023, former and current employees will be added to those who are protected from nondisclosure or nondisparagement provisions in an employment agreement—as a condition of employment, continued employment, promotion, receipt of pay or benefits—that prevents their disclosure of discrimination because of:

- A protected class and including sexual assault;
- Military service; or
- Disability.

This applies to conduct that occurs within the workplace and off premises when it's connected to the workplace (i.e., employer-sponsored events or off-premises conduct between employer and employee).

The law also added new, specific conditions in any agreement between an employer and employee when an employee releases their claim against the employer. Under the law, it can't include the following unless the employee requests it:

- A provision preventing disclosure of the settlement amount or that they settled.
- A no-rehire provision that prohibits the employee from seeking re-employment with the employer.

Employers and former employers are also prohibited from:

- Requiring employees to include either of the above-mentioned provisions as a condition to settlement.
- Failing to give the employee a copy of its policy related to the prevention of discrimination and sexual assault, as required by Or. Rev. Stat. Ann. § 659A.375.

([SB 1586](#) signed by governor on March 24, 2022)

Oregon: PFMLI Benefit Year Clarified

Effective January 1, 2023, under the Oregon Paid Family and Medical Leave Insurance ([PFMLI](#)) program, a benefit year will not be a 12-month period as determined by the director of the Oregon Employment Department. Instead, it will be two-pronged as follows:

- 52 consecutive weeks beginning on the Sunday immediately preceding when family leave, medical leave, or safe leave starts; but
- If that 52-week benefit year would result in an overlap of any quarter of the base year of a previously filed valid claim, then it will be a period of 53 consecutive weeks beginning on the Sunday immediately preceding when family leave, medical leave, or safe leave starts.

Of note, PFMLI will not start until the end of 2022 and will be implemented as follows:

- PFMLI rules will be created by September 1, 2022;
- Employer contributions must be made by January 1, 2023; and
- Benefits are payable to workers by September 1, 2023.

([SB 1515](#) signed by governor March 7, 2022)