

Oregon Discrimination

Several [federal laws](#) provide workplace discrimination protections for employees. In addition, Oregon law generally prohibits all employers from refusing to hire, firing, or discriminating against individuals in the terms, conditions, privileges, or compensation of employment on the basis of their membership in a protected class. This page provides a summary of Oregon state law on discrimination.

Protected Classes

In Oregon, a protected class is a group of individuals distinguished by:

- Age (18 and older)
- Color
- Gender identity
- Marital status
- Members of the uniformed services
- National origin
- Physical or mental disability (for employers with six or more employees)
- Pregnancy, childbirth or a related medical condition (including lactation)
- Race
- Religion
- Retaliation
- Sex
- Sexual orientation
- Veteran status

Written Policy

Beginning **Oct. 1, 2020**, Oregon employers must adopt a written policy to address the reduction and prevention of discrimination on the basis of the characteristics described above, and sexual assault.

Employers must make this policy available to all employees and provide a copy of it to each new employee at the time of hire, and to any employee who discloses information about prohibited discrimination or harassment.

The policy must contain certain required information, such as a process for employees to report prohibited conduct and the name of the person designated to receive such reports.

Disclosing or Discussing Discrimination

Also beginning **Oct. 1, 2020**, Oregon law prohibits non-disclosure and non-disparagement agreements that prevent employees from disclosing or discussing conduct that would be considered discrimination or sexual assault.

However, under the law, certain agreements of this kind are permitted, including at the aggrieved employee's request (if the employee has the right to revoke the agreement within 7 days).

For more information, contact the [Oregon Bureau of Labor and Industries](#).

Equal Pay

Beginning **Jan. 1, 2020**, state law will prohibit employers from paying different wages to employees solely because they belong to a protected class. This means that employers must pay the same wages to employees who perform work of comparable character.

However, the law allows wage differentials when they are based on one of the following factors:

- A merit system;
- A seniority system;
- A system which measures earnings by quantity or quality of production (including piece-rate work);
- Workplace locations;
- Travel, if travel is necessary and regular for the employee;
- Education;
- Training;
- Experience; or
- Any combination of the factors described above, if the combination accounts for the entire compensation differential.

In addition, it is illegal for employers to retaliate against individuals who file a compliant or collaborate with a state agency to enforce their rights under the law.

On **March 7, 2022**, Oregon adopted a [temporary amendment](#) that excludes hiring and retention bonuses from the state's definition of wages for the purpose of complying with the state's pay equity law. The amendment became effective on the date it was adopted. The exclusion applies to pay equity claims filed with the Oregon Bureau of Labor and Industries **on or after March 1, 2022**, and remains in effect for claims filed up to 180 days after the expiration of the state of emergency declared on March 8, 2020, due to the COVID-19 pandemic. The temporary exclusion of hiring and retention bonuses from the definition of wages allows Oregon employers to maintain adequate staffing levels during the COVID-19 state of emergency without violating the pay equity law.

Reasonable Accommodations for Pregnancy

Beginning **Jan. 1, 2020**, employers **with 6 or more employees** will need to provide reasonable accommodations to limitations an employee may experience because of the employee's pregnancy, childbirth or related medical condition (including lactation). Employers will also be prohibited from denying employment opportunities to, taking adverse employment actions against, or in any manner discriminating or retaliating against applicants or employees based on these accommodations. An exception exists if providing reasonable accommodations imposes an undue hardship (significant difficulty or expense) on the operation of the employer's business.

Reasonable accommodations include (but are not limited to):

- Acquiring new equipment or modifying existing equipment
- Providing more frequent or longer break and rest periods
- Providing assistance with manual labor
- Modifying job assignments or work schedules

The new [pregnancy accommodation law](#) also requires employers to post signs in a conspicuous location that provide notice to employees of their rights and protections under this law. In addition to posting signs, employers must also provide written notification of this law to:

- New employees, **at the time of hire**;
- Existing employees, **by June 29, 2020**; and
- Any employee who informs the employer of her pregnancy, **within 10 days** of the date the employer receives this notification.

The law additionally bars employers from requiring employees to take leave if the employer can make reasonable accommodation.

Please Note: The state laws summaries featured on this site are for general informational purposes only. In addition to state law, certain municipalities may enact legislation that imposes different requirements. State and local laws change frequently and, as such, we cannot guarantee the accuracy or completeness of the information featured in the State Laws section. For more detailed information regarding state or local laws, please contact your state labor department or the appropriate local government agency.