

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 5 - 0 - 0

Yeas: Avakian, Beyer, Gordly, Monroe, Prozanski

Nays: 0

Exc.: 0

Prepared By: Anna Braun, Administrator

Meeting Dates: 3/19

WHAT THE MEASURE DOES: Requires the Commissioner of the Bureau of Labor and Industries to adopt rules allowing tipped employees to waive meal periods and prohibiting employer from coercing employees to waive meal periods. Authorizes up to \$2000 penalty against employer for coercion. Adds language clarifying that each violation is a separate and distinct offense and that in a continuing violation each day's violation is a separate and distinct violation. Establishes sunset date of January 2, 2012.

ISSUES DISCUSSED:

- Tipped worker's preference
- Whether farmworkers should be included

EFFECT OF COMMITTEE AMENDMENT:

Requires the Commissioner of the Bureau of Labor and Industries to adopt rules allowing tipped employees to waive meal periods. Adds language clarifying that each violation is a separate and distinct offense and that in a continuing violation each day's violation is a separate and distinct violation. Establishes a sunset date of January 2, 2012.

BACKGROUND: Under Oregon law, the typical adult employee whose work period is eight hours long must receive least a 30 minute unpaid meal period and two paid ten-minute rest breaks. Breaks are required even if the employee does not want to take them. The Bureau of Labor and Industries has received petitions from restaurant workers who would like the ability to waive their meal periods.