

REVENUE: No revenue impact

FISCAL: No fiscal impact

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<b>Action:</b>	Do Pass
<b>Vote:</b>	5 - 0 - 2
<b>Yeas:</b>	Berger, Esquivel, Holvey, Rosenbaum, Schaufler
<b>Nays:</b>	0
<b>Exc.:</b>	Edwards C., Smith P.
<b>Prepared By:</b>	Theresa Van Winkle, Administrator
<b>Meeting Dates:</b>	5/9

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**WHAT THE MEASURE DOES:** Extends the period of time an employer or an employee may file an appeal regarding a citation, a proposed civil penalty assessment, and/or the period of time for correcting a violation of the Oregon Safe Employment Act from 20 to 30 days after receipt of the notice, citation, or order. Extends the period of time from 10 to 20 days for recording a final judgment as a lien on property if the penalty assessed for violating the Oregon Safe Employment Act has not been paid.

**ISSUES DISCUSSED:**

- Provisions of the measure
- Statistics relating to appeals
- Number of states that use a 20 calendar day time frame for appealing occupational safety and health violations

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** The Department of Consumer and Business Services (DCBS) has authority to regulate businesses under the Oregon Safe Employment Act. Appeals by employers have decreased from 19.7 percent in 2001 to 14.7 percent in 2005. Six percent of appeals are currently not considered because they are late, which is an average of 14 per year over the past six years. Of those, 64 percent were late by fewer than 10 days. Increasing the amount of time to appeal a violation is expected to increase the number of appeals.

Current statute allows employers and employees to contest citations, proposed civil penalty assessments, and established time periods for fixing a violation through submitting a written request for a hearing before the Workers' Compensation Board.