

A-Engrossed House Bill 2258

Ordered by the House March 14
Including House Amendments dated March 14

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Commissioner of the Bureau of Labor and Industries Dan Gardner)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Requires that employer, if employer has notice that employee has not been paid full amount employee is owed on regular payday, pay employee unpaid amount within [_____ days] **specified timelines** after employer has notice of underpayment.

A BILL FOR AN ACT

1
2 Relating to payment of wages on regular paydays; amending ORS 652.120.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 652.120 is amended to read:

5 652.120. (1) Every employer shall establish and maintain a regular payday, at which date **the**
6 **employer shall pay** all employees [*shall be paid*] the wages due and owing to them.

7 (2) Payday [*shall*] **may** not extend beyond a period of 35 days from the time that [*such*] **the**
8 employees entered upon their work, or from the date of the last regular payday.

9 (3) This section does not prevent the employer from establishing and maintaining paydays at
10 more frequent intervals.

11 (4) This section does not prevent any employer from entering into a written agreement, prior to
12 the rendering of any services, and mutually satisfactory with the employer's employees, as to the
13 payment of wages at a future date.

14 **(5) When an employer has notice that an employee has not been paid the full amount the**
15 **employee is owed on a regular payday and there is no dispute between the employer and the**
16 **employee regarding the amount of the unpaid wages:**

17 **(a) If the unpaid amount is less than five percent of the employee's gross wages due on**
18 **the regular payday, the employer shall pay the employee the unpaid amount no later than**
19 **the next regular payday; or**

20 **(b) If the unpaid amount is five percent or more of the employee's gross wages due on**
21 **the regular payday, the employer shall pay the employee the unpaid amount within three**
22 **days after the employer has notice of the unpaid amount, excluding Saturdays, Sundays and**
23 **holidays.**

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NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.