

A-Engrossed
House Bill 3030

Ordered by the House February 28
Including House Amendments dated February 28

Sponsored by Representative GARRETT; Representatives BARKER, BERGER, OLSON, SCHAUFLE

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.

Exempts certain individuals providing volunteer golf course marshal services from minimum wage standards [*and mandatory workers' compensation coverage*].

A BILL FOR AN ACT

Relating to volunteer golf course marshals; amending ORS 653.020.

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

SECTION 1. ORS 653.020 is amended to read:

653.020. ORS 653.010 to 653.261 do not apply to any of the following employees:

(1) An individual employed in agriculture if:

(a) Such individual is employed as a hand harvest or pruning laborer and is paid on a piece-rate basis in an operation which has been, and is customarily and generally recognized as having been paid, on a piece-rate basis in the region of employment and is employed by an employer who did not, during any calendar quarter during the preceding year use more than 500 piece-rate-work-days of agricultural labor;

(b) Such individual is the parent, spouse, child or other member of the employer's immediate family;

(c) Such individual:

(A) Is employed as a hand harvest or pruning laborer and is paid on a piece-rate basis in an operation which has been, and is customarily and generally recognized as having been, paid on a piece-rate basis in the region of employment;

(B) Commutes daily from a permanent residence to the farm on which the individual is so employed; and

(C) Has been employed in agricultural labor less than 13 weeks during the preceding calendar year;

(d) Such individual, other than an individual described in paragraph (c) of this subsection:

(A) Is 16 years of age or under and is employed as a hand harvest laborer, is paid on a piece-rate basis in an operation which has been, and is customarily and generally recognized as having been, paid on a piece-rate basis in the region of employment; and

(B) Is paid at the same piece-rate as employees over 16 years of age on the same farm; or

(e) Such employee is principally engaged in the range production of livestock and earns a salary and is paid on a salary basis.

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.

- 1 (2) An individual employed in domestic service on a casual basis in or about a family home.
- 2 (3) An individual engaged in administrative, executive or professional work who:
- 3 (a) Performs predominantly intellectual, managerial or creative tasks;
- 4 (b) Exercises discretion and independent judgment; and
- 5 (c) Earns a salary and is paid on a salary basis.
- 6 (4) An individual employed by the United States.
- 7 (5) An individual who is employed by an institution whose function is primary or secondary ed-
- 8 ucation, and in which the individual is an enrolled student.
- 9 (6) An individual engaged in the capacity of an outside salesperson or taxicab operator.
- 10 (7) An individual domiciled at a place of employment for the purpose of being available for
- 11 emergency or occasional duties for time other than that spent performing these duties, provided that
- 12 when the individual performs emergency or occasional duties, the individual must be paid no less
- 13 than the wage specified in ORS 653.025.
- 14 (8) An individual paid for specified hours of employment, the only purpose of which is to be
- 15 available for recall to duty.
- 16 (9) An individual domiciled at multiunit accommodations designed to provide other people with
- 17 temporary or permanent lodging, for the purpose of maintenance, management or assisting in the
- 18 management of same.
- 19 (10) An individual employed on a seasonal basis at:
- 20 (a) An organized camp operated for profit that generates gross annual income of less than
- 21 \$500,000; or
- 22 (b) A nonprofit organized camp.
- 23 (11) An individual employed at a nonprofit conference ground or center operated for educational,
- 24 charitable or religious purposes.
- 25 (12) An individual who performs services as a volunteer firefighter, as defined in ORS 652.050.
- 26 (13) An individual who performs child care services in the home of the individual or in the home
- 27 of the child.
- 28 (14) An individual employed in domestic service employment in or about a family home to pro-
- 29 vide companionship services for individuals who, because of age or infirmity, are unable to care for
- 30 themselves.
- 31 (15) An individual who performs service as a caddy at a golf course in an established program
- 32 for the training and supervision of caddies under the direction of a person who is an employee of
- 33 the golf course.
- 34 **(16) An individual who volunteers as a golf course marshal if:**
- 35 **(a) The services the individual provides are limited to monitoring starting times and**
- 36 **speed of play and informing golfers of golf course etiquette;**
- 37 **(b) The individual is not allowed to provide volunteer golf course marshal services for**
- 38 **more than 30 hours in a calendar week; and**
- 39 **(c) The individual receives no wage other than golf passes for providing the volunteer golf**
- 40 **course marshal services.**
- 41 [(16)] (17) An individual employed as a resident manager by an adult foster home that is licensed
- 42 pursuant to ORS 443.705 to 443.825 and who is domiciled at the adult foster home.
- 43 [(17)] (18) An individual residing in a mobile home park or manufactured dwelling park designed
- 44 to provide other people with temporary or permanent lodging, for the purpose of maintenance,
- 45 management or in assisting in the management of same.

1 [(18)] (19) An individual who volunteers as a campground host and who resides in a campground
2 owned by a public agency that provides temporary accommodations for travelers, whether under
3 public or private management, and who provides information and emergency assistance.

4 [(19)] (20) An individual who:

5 (a) Is registered with the National Ski Patrol or a similar nonprofit ski patrol organization as
6 a nonprofessional ski patroller and who receives no wage other than passes authorizing access to
7 and use of a ski area, as defined in ORS 30.970, for performing ski patrol services, including but not
8 limited to services related to preserving the safety of and providing information to skiers or
9 snowboarders; or

10 (b) Receives no wage other than passes authorizing access to and use of a ski area, as defined
11 in ORS 30.970, for performing services directly related to the organizing or conducting of skiing or
12 snowboarding races or other similar competitions that are:

13 (A) Sponsored and organized by a nonprofit corporation, as defined in ORS 65.001; and

14 (B) Held in a ski area, as defined in ORS 30.970.

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