

Oregon

House Business & Labor Committee
February 6, 2013

MEASURE: _____
EXHIBIT: _____
H BUSINESS & LABOR
DATE: _____ PAGES: _____
SUBMITTED BY: _____

NFIB Testimony House Bill 2112

NFIB opposes HB 2112

Currently BOLI is allowed to levy civil penalties, up to \$1,000 per violation, under ORS 652.610 (4). This obligates the employer when deducting certain amounts from the employee's wages to pay the appropriate recipients promptly.

HB 2112 would expand this civil penalty provision to all subsections of ORS 652.610.

Because ORS.652.990 already states that violation of any section of ORS 652.610 is a Class D criminal violation, which is subject to fines, we view HB 2112 as an unnecessary additional threat to small businesses. The cost burden could escalate well beyond appropriate for the level of violation and subject the business to multiple actions. A simple mistake could result in thousands of dollars in fines, damages and legal fees.

Private right of action is available where violations exist to HB 652.610. While many small businesses are already struggling to keep their doors open, we oppose adding an additional level of legal and financial threat from BOLI with HB 2112.