

House Bill 3138

Sponsored by Representative GELSER; Representative WITT

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 **as introduced**.

Includes payments due for accrued vacation time in meaning of wages for purposes of wage claim. Prohibits certain employers from adopting policy for forfeiture of accrued vacation wages upon termination of employment. Subjects employer that fails to pay accrued vacation wages upon termination of employment to statutory requirements for payment of other types of wages upon termination of employment.

A BILL FOR AN ACT

1
2 Relating to payment of wages for accrued vacation time.

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

4 **SECTION 1. (1) If a contract of employment or employer policy provides for paid vacation**
5 **time, payments due for accrued vacation time are wages.**

6 **(2) Unless otherwise provided by a collective bargaining agreement:**

7 **(a) If the employment of an employee is terminated without the employee's having used**
8 **all accrued vacation time, the employer shall pay the amounts owing for accrued vacation**
9 **time as required for the payment of other wages under ORS 652.140.**

10 **(b) An employment contract or employer policy may not provide for the forfeiture of**
11 **accrued vacation wages upon termination.**

12 **(3) Nothing in this section requires an employer to adopt a policy for providing paid va-**
13 **cation time or prevents an employer from establishing a limit on the number of paid vacation**
14 **hours an employee may accrue.**

15 **SECTION 2. Section 1 of this 2013 Act applies to vacation wages accrued in accordance**
16 **with a collective bargaining agreement or an employer policy before, on or after the effective**
17 **date of this 2013 Act.**

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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.