

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 2386 MRA1

Seventy-Eighth Oregon Legislative Assembly – 2015 Regular Session
Legislative Fiscal Office

*Only Impacts on Original or Engrossed
Versions are Considered Official*

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Measure Description:

Authorizes Commissioner of Bureau of Labor and Industries to issue temporary cease and desist order under certain circumstances.

Government Unit(s) Affected:

Bureau of Labor and Industries (BOLI)

Summary of Expenditure Impact:

See Analysis.

Local Government Mandate:

This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

Analysis: This bill would allow the Labor Commissioner to issue a cease and desist order requiring an employer to refrain from violating provisions of the state's wage and hour laws. If a respondent were to successfully appeal the issuance of a cease and desist order, BOLI would be required to pay reasonable attorney's fees and actual damages and any back pay owed to the defendant's employees

The fiscal impact of this bill is indeterminate. BOLI is unable to estimate the number of additional cases that may result in additional attorney's fees and the amount of actual damages and back pay that may be assessed. BOLI estimates that if it were required to pay attorney's fees on a contested case hearing it would be \$13,000 to \$16,000. If the case was to be appealed to the Oregon Court of Appeals or the Supreme Court, attorney's fees could reach \$100,000.