

STAFF MEASURE SUMMARY**Senate Committee On Workforce****Fiscal:** Fiscal impact issued**Revenue:** No Revenue Impact**Action Date:** 04/20/15**Action:** Do Pass With Amendments And Requesting Referral To Rules. (Printed A-Engrossed.)**Meeting Dates:** 04/15, 04/20**Vote:**

Yeas: 3 - Dembrow, Gelser, Rosenbaum

Nays: 2 - Knopp, Thatcher

Prepared By: Matthew Germer, Committee Administrator**WHAT THE MEASURE DOES:**

Requires employer to provide employee, upon hire, written work schedule. Permits employee to request flexible or predictable work schedule, subject to certain restrictions. Requires employer grant employee's request for flexible or predictable work schedule unless prevented by bona fide business reason. Requires employer to post physical copy of work schedules of all employees. Requires employer to pay for scheduled hours of work, regardless of hours actually worked, up to a maximum of four hours. Grants Commissioner of Bureau of Labor and Industries authority to set additional requirements through rule. Requires employer provide notice of schedule changes and compensate employee for changes in certain circumstances. Establishes unlawful employment practice of retaliating against employee who requests flexible or predictable schedule. Defines relevant terms.

ISSUES DISCUSSED:

- Direct and indirect effects of work schedule predictability, including difficulty scheduling child care services
- Purpose and length of notice requirement
- Use of "clo-pening" practice
- Variables affecting employers' ability to predict schedules
- Administrative burden on employers
- Unpredictable work schedules in construction industry

EFFECT OF COMMITTEE AMENDMENT:

Places provisions of the measure in ORS Chapter 653. Requires employers provide work schedule 21 days in advance. Requires employers compensate employees for changes in the work schedule.

BACKGROUND:

A flexible work schedule ("flex schedule") allows employees to work hours that differ from the normal company start and stop time. Flex schedules and predictable schedules may help employees meet family needs, personal obligations and life responsibilities more conveniently with the assurance that changes to their work schedules will result in additional compensation.

Senate Bill 888-A permits employees to request flexible or predictable work schedules from employers. Employers must grant flex schedule requests subject to an interactive process to attempt to establish a mutually acceptable work schedule. The measure also requires the employer to provide notice of schedule changes and to compensate the employee for changes in certain circumstances and makes retaliation against employees who request a flex schedule or predictable schedule an unlawful employment practice.