

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 2386**

1 On page 2 of the printed A-engrossed bill, line 21, delete “violation” and
2 insert “pattern of violations”.

3 In line 24, delete “or”.

4 In line 26, delete the period and insert “; or

5 “(e) Other credible information.

6 “(7) If a temporary cease and desist order issued under subsection (6) of
7 this section mandates compensation to an employee in an amount that is
8 disputed by an employer, the employer may provide a bond in lieu of payment
9 to ensure timely payment of compensation for a future period in an amount
10 the commissioner determines necessary. Any amount required for payment
11 to the employee or bond shall be stated in the temporary cease and desist
12 order.

13 “(8) An employer may request a hearing under ORS 183.413 to 183.470 to
14 contest all or part of a temporary cease and desist order. To request a
15 hearing, the employer shall:

16 “(a) Request in writing to the commissioner a hearing to contest the
17 temporary cease and desist order;

18 “(b) Specify the grounds on which the employer contests the temporary
19 cease and desist order; and

20 “(c) Include with the request information necessary to support the
21 grounds on which the employer contests the temporary cease and desist or-
22 der.

1 “(9) If an employer requests a hearing to contest a temporary cease and
2 desist order that was issued under subsection (6) of this section, an admin-
3 istrative law judge of the Bureau of Labor and Industries shall schedule the
4 hearing to take place within 30 days of receipt of the request by the com-
5 missioner.

6 “(10) Upon close of a hearing held under subsection (9) of this section, the
7 administrative law judge shall prepare and issue findings, exceptions and an
8 order within 30 days. The order issued by the administrative law judge under
9 this subsection shall be a final order subject to appeal under ORS 183.480 to
10 183.497.

11 “(11) For any proceeding conducted under subsection (9) of this section,
12 a court may award attorney fees to the employer under ORS 20.105, 182.090
13 or 183.497.”.

14
