

HB 3279 -1, -3, -5 STAFF MEASURE SUMMARY

House Committee On Judiciary

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Meeting Dates: 3/27, 4/13

WHAT THE MEASURE DOES:

Creates new category of "labor contractor" for purposes of licensing and Bureau of Labor and Industries oversight. Specifies "property services contractor" includes any person who receives compensation for recruiting, soliciting, or supplying workers to perform janitorial or security services for another. Specifies property services contractor does not include those with a direct contractor to perform janitorial or security services, the Employment Department, crew leaders, recognized educational institutions, labor unions, or staffing agencies. Requires property services contractor register with Bureau of Labor and Industries. Provides rulemaking authority for registration. Includes requirement that rules address training on prevention of sexual harassment, assault, and discrimination in the work place.

ISSUES DISCUSSED:

- Reason for the bill
- What employers are included
- The -1 amendment

EFFECT OF AMENDMENT:

-1 Removes person with property services contract with owner of real property where services are performed from exclusion as property services contractor. Removes staffing agencies from exclusion as property services contractor. Prohibits contractor from requiring an employee to work along on vacant or abandoned property. Requires existing examination for license to operate as labor contractor to include applicant's knowledge of employer's responsibility to prevent sexual assault and harassment.

-3 Removes security services from definition of property services contractor.

-5 Replaces measure. Creates new category of "labor contractor" for purposes of licensing and Bureau of Labor and Industries (BOLI) oversight. Defines property services contractor. Specifies exclusions from property services contractor definition. Requires Commissioner of BOLI to establish procedures for licensing of property service contractors. Requires property services contractor to provide certain training to managers, supervisors, and employees. Adds testing requirement for labor contractor license. Provides exception to proof of financial ability.

REVENUE: *May have revenue impact, but no statement yet issued*

FISCAL: *May have fiscal impact, but no statement yet issued*

BACKGROUND:

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Under Oregon law, labor contractors may not provide services without a license issued by the Bureau of Labor and Industries (BOLI) and must pass a test before a license is issued. Labor contractors include construction labor contractors and farm labor contractors. Often, labor contractors do not perform the labor directly, but supply individuals to businesses needing those services.

House Bill 3279 adds in a new category of labor contractors required to be licensed and tested by BOLI: property service contractors, which includes those who supply others for janitorial or security services. The measure provides training requirements for contractors and exempts particular entities. The measure provides BOLI with rulemaking authority and directs training on prevention of harassment, assault, and discrimination in the workplace.