

HB 2180 STAFF MEASURE SUMMARY

House Committee On Business and Labor

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Meeting Dates: 2/13

WHAT THE MEASURE DOES:

Provides private right of action for claim for unpaid wages. Provides right for employee to file lien on employer's real and personal property located in Oregon for amount of unpaid wages. Establishes that such lien has priority over all other liens except for those established by commercial lending institution or public body for unpaid taxes. Allows employer to obtain surety bond to cover amount of claim and all costs and fees awarded against the property subject to lien.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

When an employee files a claim with the Bureau of Labor and Industries alleging their employer has not fully paid wages due to the employee, the Bureau can investigate, act to resolve the dispute or take action through administrative proceedings or through court proceedings. Even when a judgment is made against the employer, the employee is not always successful in collecting the unpaid wages. House Bill 2180 allows the employee to place a lien on the employer's real and personal property located in Oregon for the amount of unpaid wages the employee claims is owed. The measure also gives the employee a private right of action for unpaid wages, meaning they can take the employer to court rather than file a claim with the Bureau. If a court rules that the employer must pay the claim for unpaid wages, the property on which the employee placed a lien can be used to satisfy the judgment.