

From the desk of Ann Roblan

NFIB

The Voice of Small Business®

April 12, 2017

The Honorable Members of the Oregon Senate
Oregon State Capitol
900 Court Street NE
Salem, OR 97301

RE: Please vote YES on SB 279 A

Dear Senator:

On behalf of nearly 7,000 Oregon small business members of the National Federation of Independent Business (NFIB), I urge you to support SB 279 A, a bill that requires that a written notice of nonpayment must include a statement that if the employer pays the full amount of the employee's unpaid wages or compensation within 12 days after the employer receives the written notice of nonpayment, the penalty may not exceed 100 percent of the employee's unpaid wages or compensation.

Please keep in mind that NFIB represents small businesses in every industry of Oregon's private sector, and while 70 percent of NFIB/Oregon businesses have fewer than 10 employees and 90 percent have fewer than 25 employees, our small business-members employ over 60,000 Oregonians.

SB 279 does not create any new penalties on employers, nor does it deny any existing penalties to those employees who seek them for their unpaid wages. This bill is about disclosure. It's about making sure people are aware of their rights under the law and are given an opportunity to exercise those rights.

- Current law, ORS 652.150 (2), **protects employees** by ensuring that their unpaid wages are paid **as swiftly as possible** rather than incentivizing plaintiff's attorneys to "run out the clock" and always seek 30 days of penalty wages.
- It also **protects employers** by requiring a written notice of nonpayment, and allowing the employer a 12-day window of opportunity to pay the unpaid wages, with the penalty being equal to the amount of the unpaid wages, thereby **incentivizing employers to pay quickly** and potentially avoid a much larger penalty (like the 30 day's wages penalty) and/or litigation.

This 12-day window of opportunity is only effective in its purpose when both employers and employees are aware of the law, **which is what SB 279 will accomplish.**

Again, on behalf of the thousands of NFIB member-businesses in Oregon, we ask you to vote YES on SB 279.

Thank you for your consideration,

Anthony K. Smith
NFIB/Oregon State Director

National Federation of Independent Business

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