

House Bill 3317

Sponsored by Representatives CLEM, BUEHLER, HACK, LIVELY; Representatives BARKER, BENTZ, BOONE, ESQUIVEL, EVANS, GORSEK, HAYDEN, HEARD, HUFFMAN, JOHNSON, KENNEMER, LEWIS, MCKEOWN, MCLANE, NEARMAN, NOBLE, OLSON, PARRISH, POST, REARDON, RESCHKE, SMITH DB, SMITH G, SPRENGER, STARK, VIAL, WHISNANT, WILSON

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Effective January 1, 2018, repeals nonurban county minimum wage tier and replaces it with urban minimum wage tier for certain cities, increasing incrementally on annual basis through 2023. Creates separate minimum wage for agricultural workers, increasing annually through 2023. Modifies amounts of current annual increases, to take place on January 1 each year beginning in 2018, and provides for adjustments based on inflation.

A BILL FOR AN ACT

1
2 Relating to minimum wage; creating new provisions; amending ORS 653.025; and repealing section
3 2, chapter 12, Oregon Laws 2016.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 653.025, as amended by section 1, chapter 12, Oregon Laws 2016, is amended
6 to read:

7 653.025. (1) Except as provided in subsections (2) and (3) of this section, ORS 652.020 and the
8 rules of the Commissioner of the Bureau of Labor and Industries issued under ORS 653.030 and
9 653.261, for each hour of work time that the employee is gainfully employed, no employer shall em-
10 ploy or agree to employ any employee at wages computed at a rate lower than:

11 (a) For calendar year 2003, \$6.90.

12 (b) From January 1, 2004, to June 30, 2016, a rate adjusted for inflation as calculated by the
13 commissioner.

14 (c) From July 1, 2016, to June 30, 2017, \$9.75.

15 (d) From July 1, 2017, to *[June 30, 2018, \$10.25]* **December 31, 2018, \$10.25.**

16 (e) From *[July 1, 2018, to June 30, 2019, \$10.75]* **January 1, 2019, to December 31, 2019,**
17 **\$10.30.**

18 (f) From *[July 1, 2019, to June 30, 2020, \$11.25]* **January 1, 2020, to December 31, 2020,**
19 **\$10.40.**

20 (g) From *[July 1, 2020, to June 30, 2021, \$12]* **January 1, 2021, to December 31, 2021, \$10.60.**

21 (h) From *[July 1, 2021, to June 30, 2022, \$12.75]* **January 1, 2022, to December 31, 2022,**
22 **\$10.80.**

23 (i) From *[July 1, 2022, to June 30, 2023, \$13.50]* **January 1, 2023, to December 31, 2023, \$11.**

24 (j) After *[June 30, 2023, beginning on July 1 of each year]* **January 1, 2024,** a rate adjusted an-
25 nually for inflation as described in subsection (5) of this section.

26 (2) If the employer is located within the urban growth boundary of a metropolitan service dis-
27 trict organized under ORS chapter 268, except as provided by ORS 652.020 and the rules of the
28 commissioner issued under ORS 653.030 and 653.261, for each hour of work time that the employee

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 is gainfully employed, no employer shall employ or agree to employ any employee at wages computed
 2 at a rate lower than:

3 (a) From July 1, 2016, to June 30, 2017, \$9.75.

4 (b) From July 1, 2017, to [June 30, 2018, \$11.25] **December 31, 2018, \$11.25.**

5 (c) From [July 1, 2018, to June 30, 2019, \$12] **January 1, 2019, to December 31, 2019, \$11.75.**

6 (d) From [July 1, 2019, to June 30, 2020, \$12.50] **January 1, 2020, to December 31, 2020,**
 7 **\$12.75.**

8 (e) From [July 1, 2020, to June 30, 2021, \$13.25] **January 1, 2021, to December 31, 2021,**
 9 **\$13.50.**

10 (f) From [July 1, 2021, to June 30, 2022, \$14] **January 1, 2022, to December 31, 2022, \$14.25.**

11 (g) From [July 1, 2022, to June 30, 2023, \$14.75] **January 1, 2023, to December 31, 2023, \$15.**

12 (h) After [June 30, 2023, an employer described in this subsection shall pay an employee no less
 13 than \$1.25 per hour more than the minimum wage determined under subsection (1)(j)] **January 1, 2024,**
 14 **a rate adjusted annually for inflation as described in subsection (5) of this section.**

15 (3) If the employer is located within [a nonurban county as described in section 2, chapter 12,
 16 Oregon Laws 2016] **the city limits of Ashland, Bend, Corvallis, Eugene, Medford or**
 17 **Springfield**, except as provided by ORS 652.020 and the rules of the commissioner issued under ORS
 18 653.030 and 653.261, for each hour of work time that the employee is gainfully employed, no em-
 19 ployer shall employ or agree to employ any employee at wages computed at a rate lower than:

20 (a) From July 1, 2016, to June 30, 2017, \$9.50.

21 (b) From July 1, 2017, to [June 30, 2018, \$10] **December 31, 2018, \$10.**

22 (c) From [July 1, 2018, to June 30, 2019, \$10.50] **January 1, 2019, to December 31, 2019,**
 23 **\$10.75.**

24 (d) From [July 1, 2019, to June 30, 2020, \$11] **January 1, 2020, to December 31, 2020, \$11.25.**

25 (e) From [July 1, 2020, to June 30, 2021, \$11.50] **January 1, 2021, to December 31, 2021,**
 26 **\$11.75.**

27 (f) From [July 1, 2021, to June 30, 2022, \$12] **January 1, 2022, to December 31, 2022, \$12.25.**

28 (g) From [July 1, 2022, to June 30, 2023, \$12.50] **January 1, 2023, to December 31, 2023, \$13.**

29 (h) After [June 30, 2023, an employer described in this subsection shall pay an employee no less
 30 than \$1 per hour less than the minimum wage determined under subsection (1)(j)] **January 1, 2024, a**
 31 **rate adjusted annually for inflation as described in subsection (5) of this section.**

32 (4) The commissioner shall adopt rules for determining an employer's location[*under subsection*
 33 *(2) of this section*].

34 (5)(a) The Oregon minimum wage shall be adjusted for inflation as provided in paragraph (b) of
 35 this subsection.

36 (b) No later than [April] **September 30** of each year, beginning in [2023] **2024**, the commissioner
 37 shall calculate an adjustment of the wage amount [*specified in subsection (1)(j)*] **in effect under**
 38 **subsections (1) to (3)** of this section based upon the increase, if any, from [March] **August** of the
 39 preceding year to [March] **August** of the year in which the calculation is made in the U.S. City
 40 Average Consumer Price Index for All Urban Consumers for All Items as prepared by the Bureau
 41 of Labor Statistics of the United States Department of Labor or its successor.

42 (c) The wage amount as adjusted under this subsection shall be rounded to the nearest five
 43 cents.

44 (d) The wage amount as adjusted under this subsection becomes effective as the new Oregon
 45 minimum wage amount, replacing the minimum wage amount specified in [*subsection (1)(j)*] **sub-**

1 sections (1) to (3) of this section, on [July] January 1 of the year following the year in which the
2 calculation is made.

3 (6) For the purpose of this section, “employee” does not include an agricultural worker
4 as defined in ORS 315.163.

5 **SECTION 2.** (1) For the purpose of this section, “agricultural worker” has the meaning
6 given that term in ORS 315.163.

7 (2) Except as provided in subsection (3) of this section, for each hour of work time that
8 an agricultural worker is gainfully employed, an employer may not employ or agree to em-
9 ploy the agricultural worker at wages computed at a rate lower than:

10 (a) From January 1, 2018, to December 31, 2018, \$10.25.

11 (b) From January 1, 2019, to December 31, 2019, \$10.75.

12 (c) From January 1, 2020, to December 31, 2020, \$11.25.

13 (d) From January 1, 2021, to December 31, 2021, \$11.75.

14 (e) From January 1, 2022, to December 31, 2022, \$12.25.

15 (f) From January 1, 2023, to December 31, 2023, \$13.

16 (g) After January 1, 2024, a rate adjusted annually for inflation as described in ORS
17 653.025 (5).

18 (3) If the employer is located within the urban growth boundary of a metropolitan service
19 district organized under ORS chapter 268 or within the city limits of Ashland, Bend,
20 Corvallis, Eugene, Medford or Springfield, except as provided by ORS 652.020 and the rules
21 of the commissioner issued under ORS 653.030 and 653.261, for each hour of work time that
22 the agricultural worker is gainfully employed, an employer may not employ or agree to em-
23 ploy the agricultural worker at wages computed at a rate lower than:

24 (a) From January 1, 2018, to December 31, 2018, \$10.75.

25 (b) From January 1, 2019, to December 31, 2019, \$11.75.

26 (c) From January 1, 2020, to December 31, 2020, \$12.75.

27 (d) From January 1, 2021, to December 31, 2021, \$13.50.

28 (e) From January 1, 2022, to December 31, 2022, \$14.25.

29 (f) From January 1, 2023, to December 31, 2023, \$15.

30 (g) After January 1, 2024, a rate adjusted annually for inflation as described in ORS
31 653.025 (5).

32 **SECTION 3.** Section 2, chapter 12, Oregon Laws 2016, is repealed.
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