

SB 279-A2  
(LC 1440)  
5/22/17 (DJ/las/ps)

Requested by HOUSE COMMITTEE ON BUSINESS AND LABOR

**PROPOSED AMENDMENTS TO  
A-ENGROSSED SENATE BILL 279**

1 On page 2 of the printed A-engrossed bill, delete lines 5 through 8 and  
2 insert:

3 “(e)(A) If the employee or a nonattorney on behalf of the employee sub-  
4 mits a written notice of nonpayment, the written notice may be submitted  
5 by electronic means, including by text message, electronic mail or other  
6 electronic communication or social media, as defined in ORS 659A.330.

7 “(B) If an attorney submits a written notice of nonpayment on behalf of  
8 the employee, the attorney must include a statement that, if the employer  
9 pays the full amount of the employee’s unpaid wages or compensation within  
10 12 days after the employer receives the written notice of nonpayment, the  
11 penalty may not exceed 100 percent of the employee’s unpaid wages or com-  
12 pensation.

13 “(f) If an attorney submits a written notice of nonpayment on behalf of  
14 the employee, the attorney must provide a duplicate copy of the written no-  
15 tice of nonpayment to the division of the Bureau of Labor and Industries  
16 that enforces wage and hour laws.”.

17 After line 25, insert:

18 “(6) The Commissioner of the Bureau of Labor and Industries shall es-  
19 tablish and maintain a publicly available database listing each employer that  
20 is the subject of a written notice of nonpayment received by the bureau from  
21 an attorney on behalf of an employee under this section. The database must:

1       “(a) Be searchable and updated at least every 14 days;  
2       “(b) List each employer for at least four years from the date the written  
3 notice of nonpayment is received by the bureau; and  
4       “(c) Include:  
5       “(A) The legal name of the employer and any assumed business names  
6 under which the employer conducts business;  
7       “(B) If the employer is a business entity, the names of the managers,  
8 members, executives or directors; and  
9       “(C) The date the bureau received a copy of the written notice of non-  
10 payment.”.

11

---