



Background: During the 2017 session HB 3279 passed, requiring that all businesses and organizations providing janitorial services be regulated by the Bureau of Labor and Industries. The bill changed the definition of “labor contractor” to include anyone who solicits, recruits, supplies or employs people to provide janitorial services. The Bureau of Labor and Industries (BOLI) rules simply applied all the labor contractor license requirements for farm, forest and construction to property services contractors. That means that very small businesses, nonprofits and housekeeping operations that have at least one employee must be licensed. These license requirements for labor contractors requires completing a 44-page application. There are over 20 forms for the license, including complex financial and operational disclosures. One of the most onerous requirements is payroll reporting every 35 days. The existing licensing scheme also requires individual employees to be licenses in addition to the business and pay an additional \$250 licensing fee. This means that every business or non-profit no matter the size or financial resources must pay a minimum of \$500 in license fees.

Why is HB 4058A needed?

In the spirit of registering as many property service contractors in Oregon, and meeting the driving goals of HB 3279, training this sector to prevent sexual harassment and assault on the job site, changes are needed to simplify the application process.

What does HB 4058A do?

Licensee applicants (for-profit and non-profits) have joined with the proponents of HB 3279 to draft the fixes to the current application process. These agreements are reflected in HB 4058A. All parties remain committed to ensuring the final bill preserves the requirement from HB 3279 that employees and managers are trained to prevent sexual harassment and sexual assault.

Specifically, HB 4058A:

- Exempts Property Services Contractors from monthly payroll reporting to BOLI
- Removes a limitation on non-profit license applications so that all non-profits can legally be licensed as property services contractors – currently have to be in business 5-years
- Exempts employees of Property Services Contractors from the requirement to be licensed in addition to the business
- Requires initial training with refresher trainings every two years for all supervisors, managers and employees
- Allows for simplified reporting of vehicle insurance
- Provides that exams may be taken in means other than in-person
- Delays civil lawsuits until July 1, 2018