

Senate Interim Committee on Labor & Business

Oregon Bureau of Labor & Industries Response to COVID-19 Pandemic

Labor Commissioner Val Hoyle

June 1, 2020



Guiding principles

- ? Ensure safety of our employees and the public - entire agency transitioned to working remotely by March 15th
- ? Proactive communication to our team, workers, employers, and the public
- ? Focus on customer service as calls flooded in - “no wrong door to government”
- ? Transparency and investment in public records access
- ? Common sense approach to enforcement; recognition that this is a pandemic



Proactive guidance and temporary rule changes on key laws

Proactive Guidance

- Oregon Sick Leave
- Predictive Scheduling
- Housing Discrimination

Temporary Rule Changes

- Oregon Family Leave Act
- Limits on Overtime Hours in Manufacturing



COVID-19 Response

? Focus on Transparency:

- Our new public records manager has ensured the huge influx of **public records requests** are responded to quickly; without charge to media or to individuals requesting their own records.
- Working to develop systems and databases to improve our systems.

? Focus on Communication:


- We have updated and simplified our **required worksite posters** to allow workers to more clearly know their rights.

? Focus on Customer Service:

- Transitioned all staff to work remotely on March 15th to keep staff and the public safe.
- **New website** is about to launch, which will greatly increase access to the laws that protect workers and allow them to more easily file complaints.



Accessibility



OREGON.GOV

Sunset on Ochoco Reservoir (Gary Halvorson, Oregon State Archives)

[A+ A- A](#) [TEXT ONLY](#) [TRANSLATE](#)

Bureau of Labor and Industries

Department

About BOLI

Contact Us

RSSList

File a Civil Rights Complaint

File a Wage Claim

Submit a Public Record Request

FAQs & Fact Sheets

Prevailing Wage

Labor Contractors

Child Labor

Oregon Revised Statutes

MORE INFORMATION ON EMPLOYMENT LAWS AND CORONAVIRUS

Emergency Rulemaking on [OFLA](#), [Manufacturing Overtime](#), [Apprenticeship](#)

[Unemployment benefits](#)

[File a complaint about a business that isn't following the Governor's executive order or social distancing guidelines](#)

What does the Bureau of Labor and Industries do?

We protect employment rights, advance employment opportunities, and ensures access to housing and public accommodations free from discrimination.

Our core mission:

1. Protect the rights of workers and citizens to equal, non-discriminatory treatment through the enforcement of anti-discrimination laws that apply to workplaces, housing and public accommodations
2. Encourage and enforce compliance with state wages

Our Services

For All Oregonians

We protect and defend Oregonians' civil rights. We investigate civil rights violations at work, when finding a home, and in public places around the state. Click here for more information.

[Civil Rights Division](#)

For Employees

We ensure employees are paid what they earn. We enforce laws related to minimum wage, overtime, terms and conditions of employment and prevailing wage rates on public

Commissioner's Office

Wage and Hour Division

Civil Rights Division

Apprenticeship Division

Technical Assistance

Regional Offices

Recent News and Information

BOLI News Central

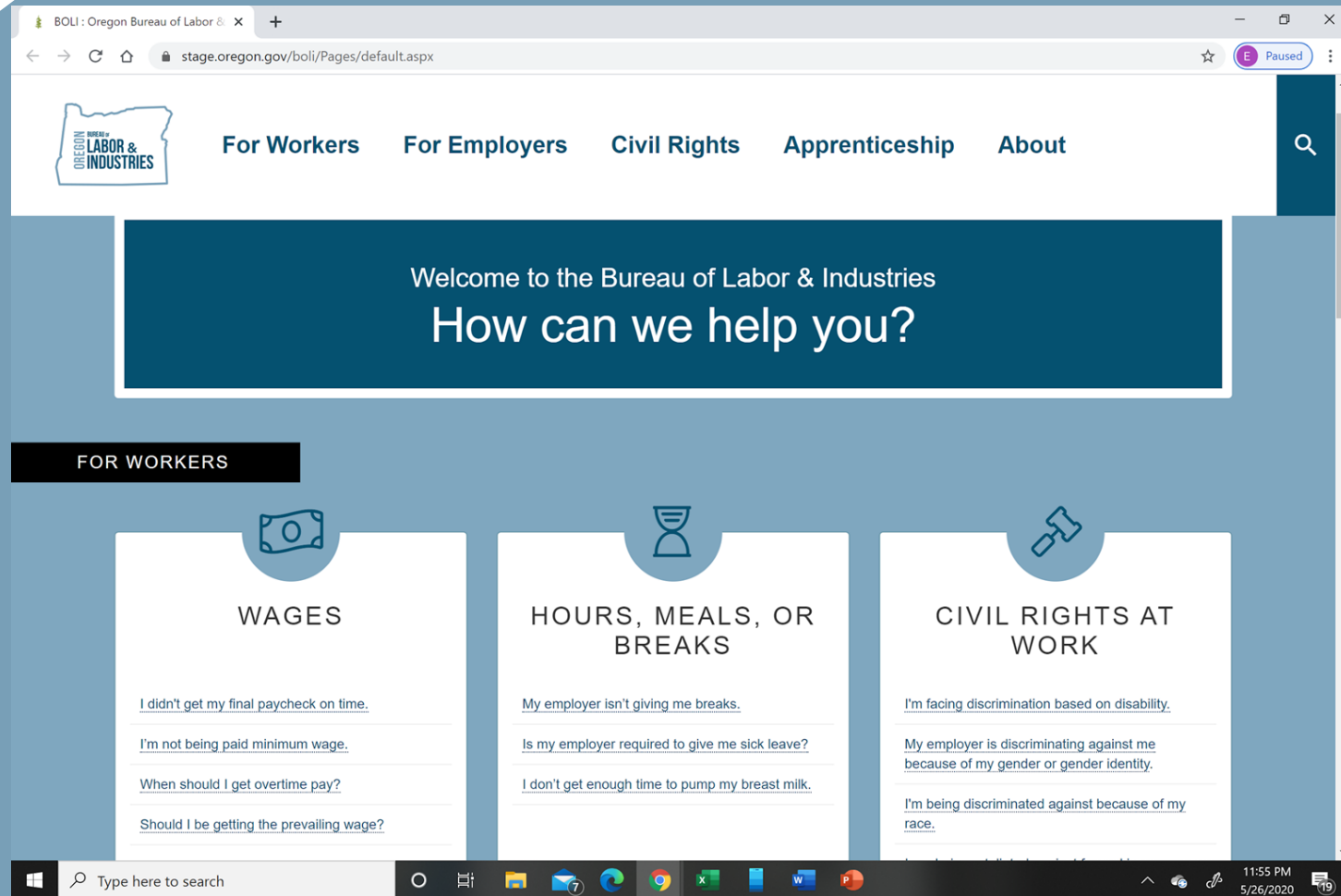
Minimum Wage Information

Statewide Sick Time Law

Annual Employment Certificate Application for Minors Age 14-17

Employer Seminars

Accessibility



Accessibility

BUREAU OF LABOR AND INDUSTRIES

Val Hoyle, Commissioner



OREGON

MINIMUM WAGE RATES

Effective July 1, 2019 to June 30, 2020

An employer shall pay an employee no less than the minimum wage rate for the region in which the employer is located. (See region descriptions below.)

Standard:	\$11.25 per hour
Portland Metro:	\$12.50 per hour
Nonurban Counties:	\$11.00 per hour

Regions

The "Standard" rate applies to the following counties, with the exception of those areas located within the urban growth boundary of a metropolitan service district: Benton, Clackamas, Clatsop, Columbia, Deschutes, Hood River, Jackson, Josephine, Lane, Lincoln, Linn, Marion, Multnomah, Polk, Tillamook, Wasco, Washington, and Yamhill.

The rate for "Portland Metro" includes areas located within the urban growth boundary of a metropolitan service district.

The rate for "Nonurban Counties" applies to the following counties: Baker, Coos, Crook, Curry, Douglas, Gilliam, Grant, Harney, Jefferson, Klamath, Lake, Malheur, Morrow, Sherman, Umatilla, Union, Wallowa, and Wheeler.

Employer Location

Employers are required to pay their employees at least the minimum wage rate in effect for the region where the employer is located. Employees who perform more than 50% of their work in a pay period at the employer's permanent fixed business location in Oregon must be paid at least the minimum wage rate for the region in which the employer's business is located. Employees who do not perform more than 50% of their work in a pay period at the employer's permanent fixed business location in Oregon must

be paid at least the minimum wage rate for the region in which the employee performs work.

General Working Conditions

Overtime: Unless exempt, employees must be paid time and one-half the regular rate of pay for any time worked over 40 hours a week or, for domestic workers residing in the home of the employer, over 44 hours a week.

Tips: Employers may not use tips as credit toward minimum wages owed to an employee.

Deductions: Employers may make deductions from wages that are required by law; authorized by a collective bargaining agreement; are for the fair market value of meals and lodging provided for the private benefit of the employee; are for the employee's benefit and are authorized in writing; or for an item in which the employee is not the ultimate recipient and the employee has voluntarily signed an authorization. An itemized statement of deductions made from wages must be provided with each paycheck.

Time records must be kept by employers for at least two years. **Payroll records** must be kept by employers for at least three years.

Regular paydays must be established and maintained. A pay period may not exceed 35 days.

Meal periods of not less than 30 minutes must be provided to non-exempt employees who work six or more hours in one work period. Ordinarily, employees are required to be relieved of all duties during the meal period. Under exceptional circumstances, however, the law allows an

employee to perform duties during a meal period so long as they are paid. When that happens, the employer must pay the employee for the entire meal period.

Paid rest periods of at least 10 minutes for adults (15 minutes for minors) must be provided during each four-hour work period or major part of four hours worked. (There are narrow exceptions for adult employees working alone in retail/service establishments.) Certain employees are required to provide additional rest periods to employees to express milk for a child. With the exception of certain tipped food and beverage service workers, meal and rest periods may not be waived or used to adjust working hours; however, meal and rest period provisions may be modified by the terms of a collective bargaining agreement.

Final paychecks: When an employee is discharged by an employer or the employee and employer mutually agree to the termination, the final paycheck is due no later than the end of the first business day after the discharge. If an employee quits with 48 hours or more notice, wages are due at the last working day (excluding Saturdays, Sundays and holidays). If an employee quits without at least 48 hours notice, wages are due in five days (excluding Saturdays, Sundays and holidays) or on the next payday, whichever occurs first. (There are some exceptions. Contact the nearest Bureau of Labor and Industries office for information.)

Domestic Service Employment: Special rules apply to persons employed as domestic workers. Contact the Bureau of Labor and Industries for more information.

Employees may be eligible for the **Earned Income Tax Credit (EITC or EIC)**, a benefit for working people with low to moderate income, particularly those with children. EITC reduces the amount of tax owed and may provide a refund. Visit these websites for additional information about how to qualify:

Federal: <https://www.irs.gov/credits-deductions/individuals/earned-income-tax-credit>
 Oregon: <https://www.oregon.gov/DOR/programs/individuals/Pages/credits.aspx>

For Additional Information

Contact the Bureau of Labor and Industries:
 Online: www.oregon.gov/boli • Email: whdscreener@boli.state.or.us

Eugene 541-686-7623 Technical Assistance for Employers Program: 971-673-0824
 Portland 971-673-0771 TTY: 711
 Salem 503-378-3292

PENALTIES: Willful failure to pay wages due to an employee upon termination may be penalized by continuation of the employee's wages up to a maximum of 30 days.

This is a summary of Oregon's laws relating to minimum wage and working conditions. It is not a complete text of the law.

THIS INFORMATION MUST BE POSTED IN A CONSPICUOUS LOCATION



Accessibility

MINIMUM WAGE

**You must be paid at least minimum wage.
The rate depends on where you work.**

\$12.00 per hour

Standard

(Benton, Clatsop, Columbia, Deschutes, Hood River, Jackson, Josephine, Lane, Lincoln, Linn, Marion, Polk, Tillamook, Wasco, Yamhill, parts of
★ Clackamas, Multnomah, & Washington)



★ The minimum wage you should get depends on your employer's exact address. If you work **INSIDE** the urban growth boundary, you should make at least \$12.00. If you work **OUTSIDE** the urban growth boundary, you should make at least \$13.25. Look up your work address here: bit.ly/metroboudary

\$13.25 per hour

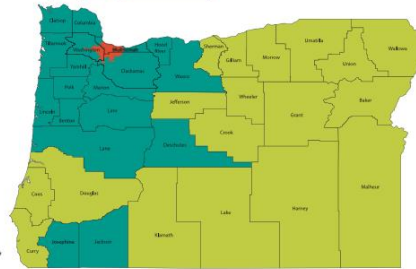
Portland Metro Area

★ Clackamas, Multnomah, & Washington

\$11.50 per hour

Nonurban Counties

(Baker, Coos, Crook, Curry, Douglas, Gilliam, Grant, Harney, Jefferson, Klamath, Lake, Malheur, Morrow, Sherman, Umatilla, Union, Wallowa, Wheeler)



- ▶ **Every worker must be paid at least minimum wage.** There are exceptions but they are uncommon.
- ▶ The minimum wage goes up every year. The next increase is on July 1, 2021. These rates are in effect from July 1, 2020 to June 30, 2021.
- ▶ **Tip credits are illegal in Oregon.**
- ▶ Deductions are allowed if legally required or if you agree in writing and the deduction is for your benefit. Your paycheck must show this information.
- ▶ If you make close to minimum wage, you may qualify for the Earned Income Tax Credit. Visit eitcoutreach.org

CONTACT US

If your employer isn't following the law or something feels wrong, give us a call. The Bureau of Labor and Industries is here to enforce these laws and protect you.

Call: 971-673-0761
Email: help@boli.state.or.us
Web: oregon.gov/boli
Se habla español.



2020 OREGON LAWS
Protect You At Work

OREGON BUREAU OF
**LABOR &
INDUSTRIES**