

HB 2593 -1, -3 STAFF MEASURE SUMMARY

House Committee On Business and Labor

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Meeting Dates: 1/28, 4/8

WHAT THE MEASURE DOES:

Removes limitations on frequency and duration of rest periods employer must provide employee to express milk. Removes exemption for undue hardship. Extends requirements to all employers by removing exemption for employers with fewer than 25 employees. Declares emergency, effective on passage.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

- 1 Restores undue hardship exemption but limits exemption to employers with six or fewer employees. Removes emergency clause. Takes effect 91st day following adjournment sine die.
- 3 Restores undue hardship exemption but limits exemption to employers with ten or fewer employees. Removes emergency clause. Takes effect 91st day following adjournment sine die.

BACKGROUND:

Current Oregon law requires employers with 25 or more employees to allow an employee a 30-minute rest period to express milk during each four-hour period to be taken approximately in the middle of the work period. The employee is required, if feasible, to time the rest periods to express milk to coincide with rest periods and meal periods otherwise provided. The Fair Labor Standards Act does not place limits on the frequency and duration of rest periods to express milk. The federal provisions are limited to the first year after the child's birth; Oregon law extends the provisions to 18 months. There is no requirement that the rest periods to express milk be paid when they extend beyond the time the employer is required to provide paid rest periods.

House Bill 2593 requires all employers to provide reasonable rest periods for employees to express milk as often and as long as needed for the child's first 18 months. The measure removes the exemption for employers who claim providing such rest periods would impose an undue hardship on business operations.