

# House Bill 2230

Sponsored by Representatives SCHOUTEN, NOSSE; Representative EVANS, Senator WAGNER (Pre-session filed.)

## 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**.

Limits amount of overtime nursing staff who work in correctional facility may be required to work.

## A BILL FOR AN ACT

Relating to mandatory overtime for nursing staff in correctional facilities; amending ORS 653.268.

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

**SECTION 1.** ORS 653.268 is amended to read:

653.268. (1) Labor directly employed by any public employer as defined in ORS 243.650 shall be compensated, if budgeted funds for such purpose are available, for overtime worked in excess of 40 hours in any one week, at not less than one and one-half times the regular rate of such employment. If budgeted funds are not available for the payment of overtime, such overtime shall be allowed in compensatory time off at not less than time and a half for employment in excess of 40 hours in any one week.

(2) Nothing in this section shall prevent a labor organization under the National Labor Relations Act or ORS 243.650 to 243.782 or other employees from negotiating additional overtime pay requirements with a public employer.

**(3) Regardless of the availability of budgeted funds, if mandatory overtime is assigned, nursing staff directly employed in a correctional facility may not be required to work:**

**(a) Beyond the agreed-upon and prearranged shift, regardless of the length of the shift;**

**(b) More than 48 hours in any workweek;**

**(c) More than 12 hours in a 24-hour period; or**

**(d) During the 10-hour period immediately following the 12th hour worked during a 24-hour period.**

**(4) As used in this section:**

**(a) "Correctional facility" means a Department of Corrections institution or jail.**

**(b) "Nursing staff" has the meaning given that term in ORS 441.179.**

**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.