



MEMORANDUM

Prepared for: Senate Interim Committee on Labor and Business

Date: January 10, 2022

By: Wenzel J. Cummings, Analyst

Re: 2022 Committee LC Summaries

LPRO: LEGISLATIVE POLICY AND RESEARCH OFFICE

LC 60, relating to mandatory overtime shifts

LC 60 prohibits an employer from taking an adverse employment action against an employee of a bakery or tortilla manufacturer who refuses to work a mandatory overtime shift unless the employee receives at least two weeks' advanced notice of the overtime shift.

LC 253, relating to employment

LC 253 directs the Oregon Employment Department (OED) to conduct a study of the financial stability of the Unemployment Compensation Trust Fund. The OED must report the findings of the study to the Legislative Assembly by September 15, 2023. LC 253 is repealed on January 2, 2024.

LC 254, relating to family medical leave benefits

The Oregon Paid Family and Medical Leave Insurance program (OPFML) intends to provide compensated time off from work for certain qualified family and medical purposes. The law uses the income earned by an employee during either a "base year" or an "alternative base year" to determine the employee's eligibility for up to 12 weeks of family and medical leave insurance benefits during a benefit year. Under current law, the Director of the Oregon Employment Department (OED) must establish by rule the definition of "benefit year" for purposes of OPFML.

LC 254 removes the requirement that the OED define "benefit year" and defines the term to mean a period of 52 consecutive weeks beginning on the Sunday immediately preceding the date on which family, medical, or safe leave commences. If the benefit year as defined would result in an overlap of any quarter of the base year of a previously filed valid claim by the employee, LC 254 defines the term "benefit year" to mean a period of 53 consecutive weeks beginning on the Sunday immediately preceding the date on which family, medical, or safe leave commences. LC 254 removes a provision that directs the OED to establish alternatives by which an employer may determine a benefit year period on either a calendar year or non-calendar year basis.