

FISCAL IMPACT OF PROPOSED LEGISLATION

81st Oregon Legislative Assembly – 2021 Regular Session
Legislative Fiscal Office

Measure: HB 2358 - A

*Only Impacts on Original or Engrossed
Versions are Considered Official*

Prepared by: Kim To
Reviewed by: Matt Stayner, Ben Ruef, John Terpening
Date: June 17, 2021

Measure Description:

Prohibits employers from permitting or requiring agricultural workers to work in excess of 40 hours in one workweek unless workers are compensated for overtime hours worked.

Government Unit(s) Affected:

Bureau of Labor and Industries (BOLI), Oregon Department of Agriculture (ODA), Oregon Business Development Department (OBDD)

Analysis:

This fiscal impact statement is for the purpose of transmitting the measure from the House Committee on Rules to the Joint Committee on Ways and Means.

HB 2358 A-Engrossed:

- Requires employers to pay agricultural workers overtime wages of one and one-half time regular pay for hours worked in excess of 40 in a work week.
- Establishes the Agricultural Worker Overtime Account and appropriates \$100 million General Fund for deposit into the account for the Oregon Business Development Department (OBDD) to develop and implement an overtime compensation payment program.
- Authorizes the Commissioner of the Bureau of Labor and Industries (BOLI) to enforce a wage claim regarding overtime pay for agricultural workers.
- Permits BOLI to assess a civil penalty not to exceed \$1,000 against any person that willfully violates overtime provisions.

The measure is anticipated to have an impact on the Oregon Business Development Department (OBDD), the Bureau of Labor and Industries (BOLI), and the Oregon Department of Agriculture (ODA).

A more complete fiscal analysis on the measure will be prepared as the measure is considered in the Joint Committee on Ways and Means.

Further Analysis Required