



Bureau of Labor and Industries

Wage and Hour Division

Christina Stephenson, Commissioner
May 29, 2024



Overview of Wage and Hour Laws

- **Minimum Wage and Overtime**
- **Manufacturing Overtime**
- **Prevailing Wage Rates:**
 - Coverage Determinations
 - Setting of Rates
 - Enforcement of Rates
- **Oregon Sick Leave**
- **Child Labor**
- **Workplace Protections:**
 - Rest/Meal Periods
 - Expression of Breast Milk
- **Personnel Records/
Recordkeeping**
- **Predictive Scheduling Laws**
- **Oregon Contractor Registration
Act**



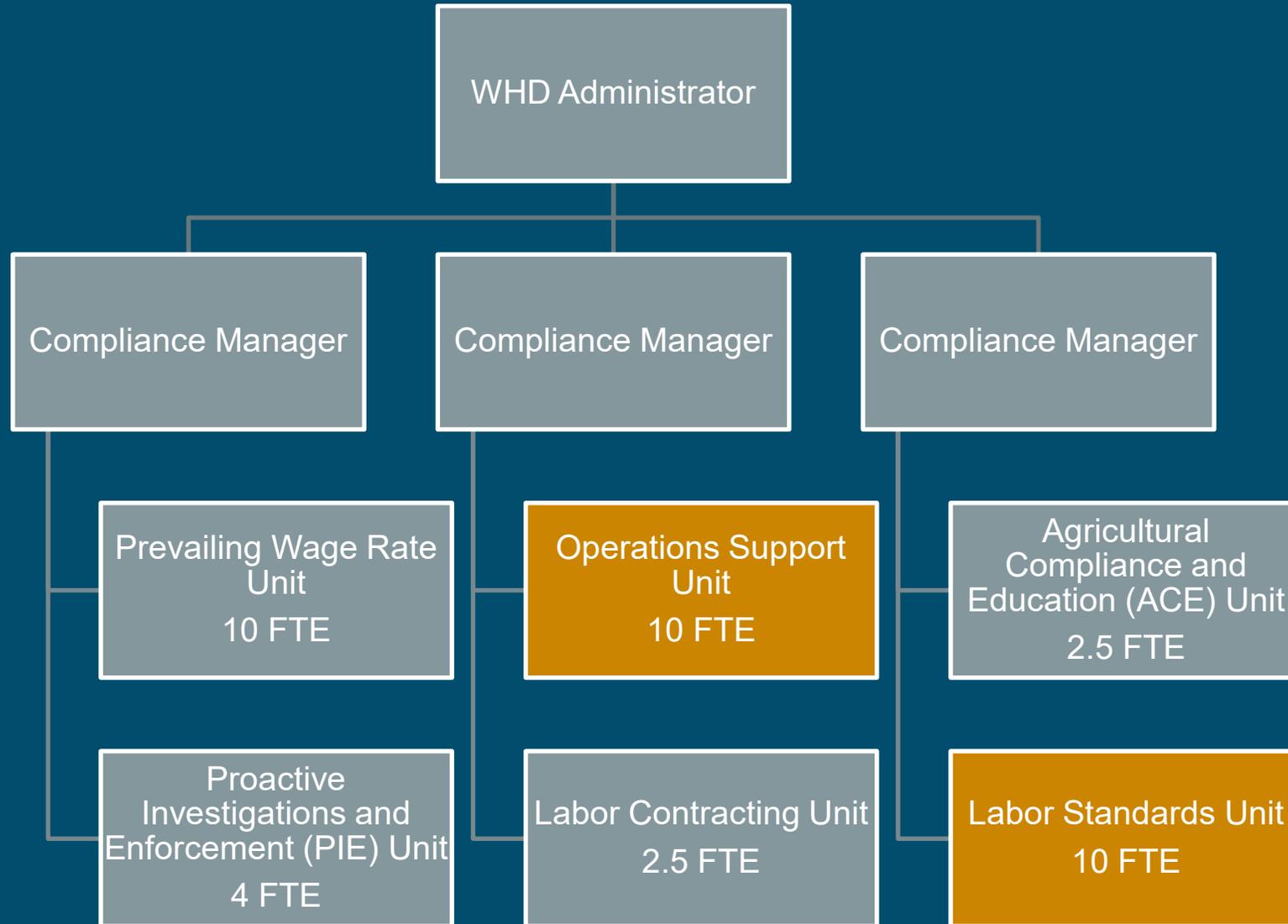
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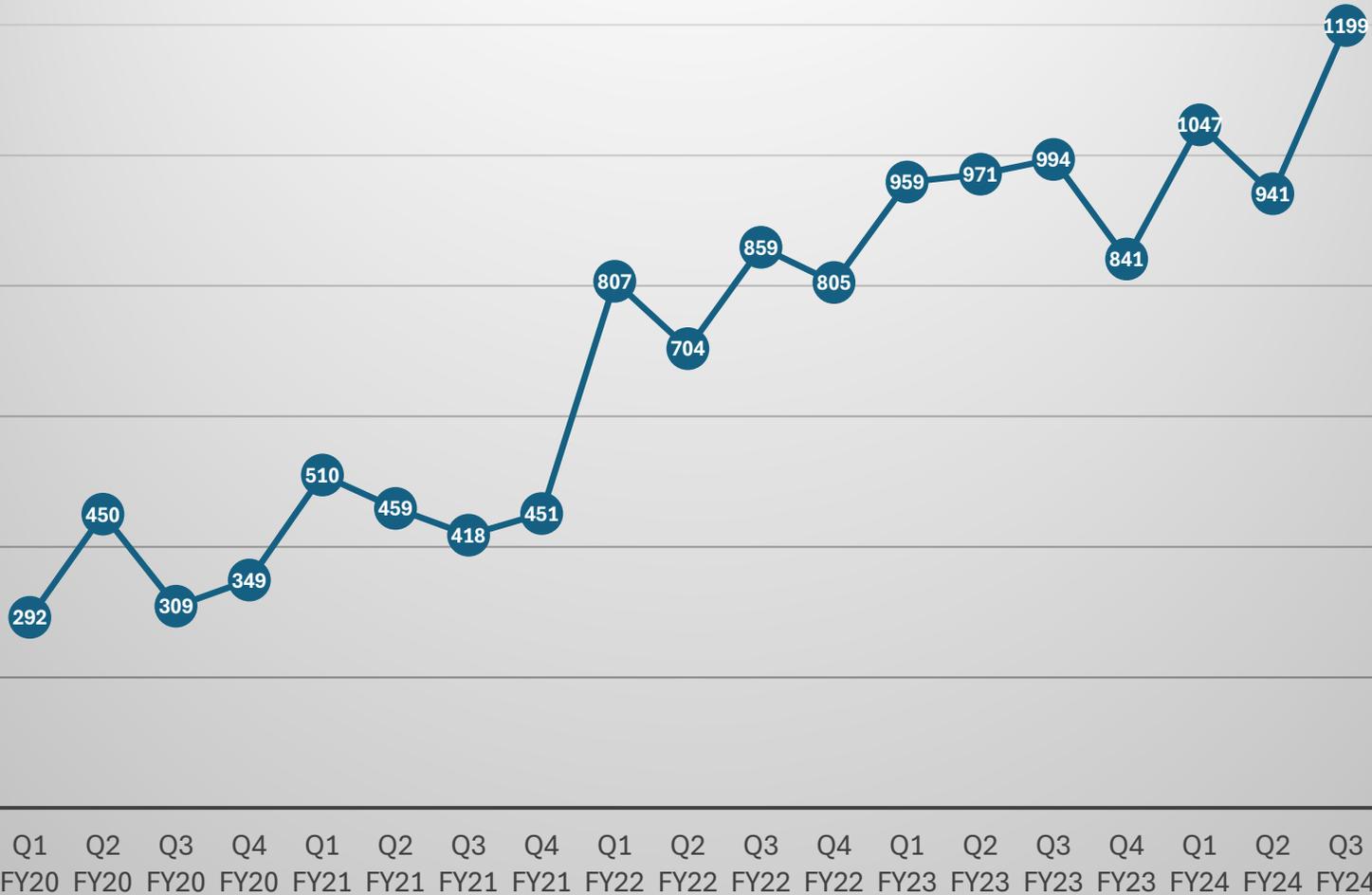


Wage and Hour Division

(44 Staff/43 FTE)



Wage Claims Received

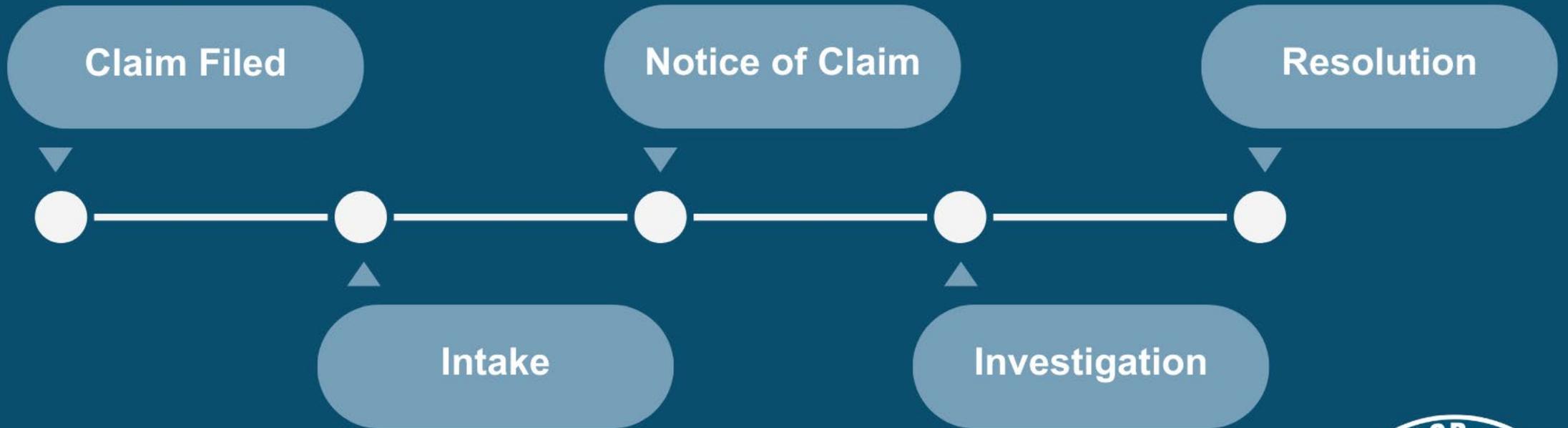


Fiscal Year	Number of Intake Staff
FY20	2
FY21	2
FY22	2
FY23	5
FY24	5

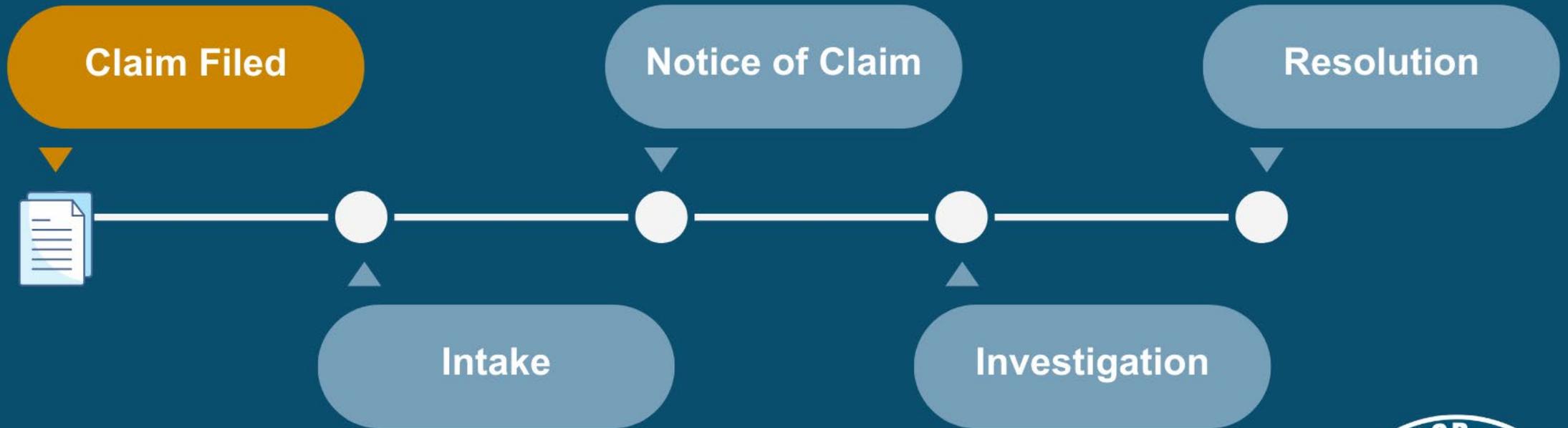
Fiscal Year	Number of Labor Standards Investigators
FY20	6
FY21	6
FY22	8
FY23	8
FY24	10



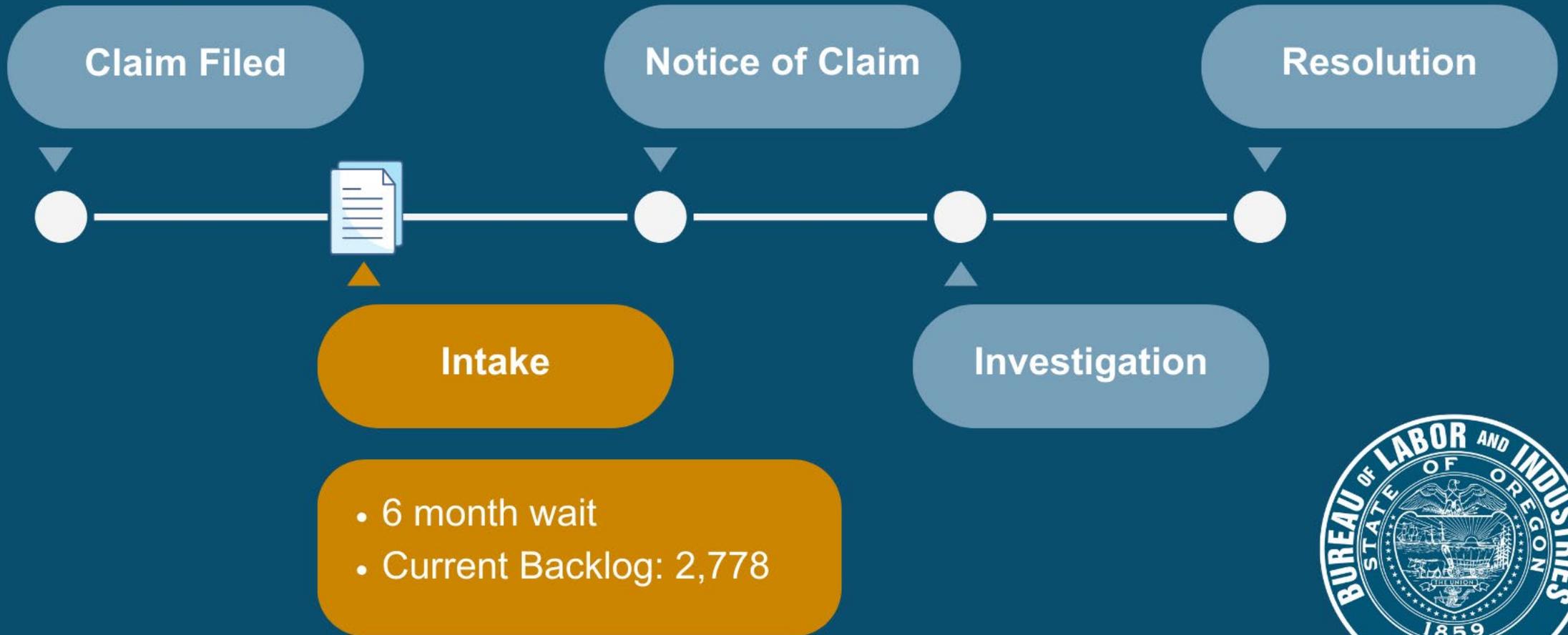
Wage Claim Process



Wage Claim Process



Wage Claim Process

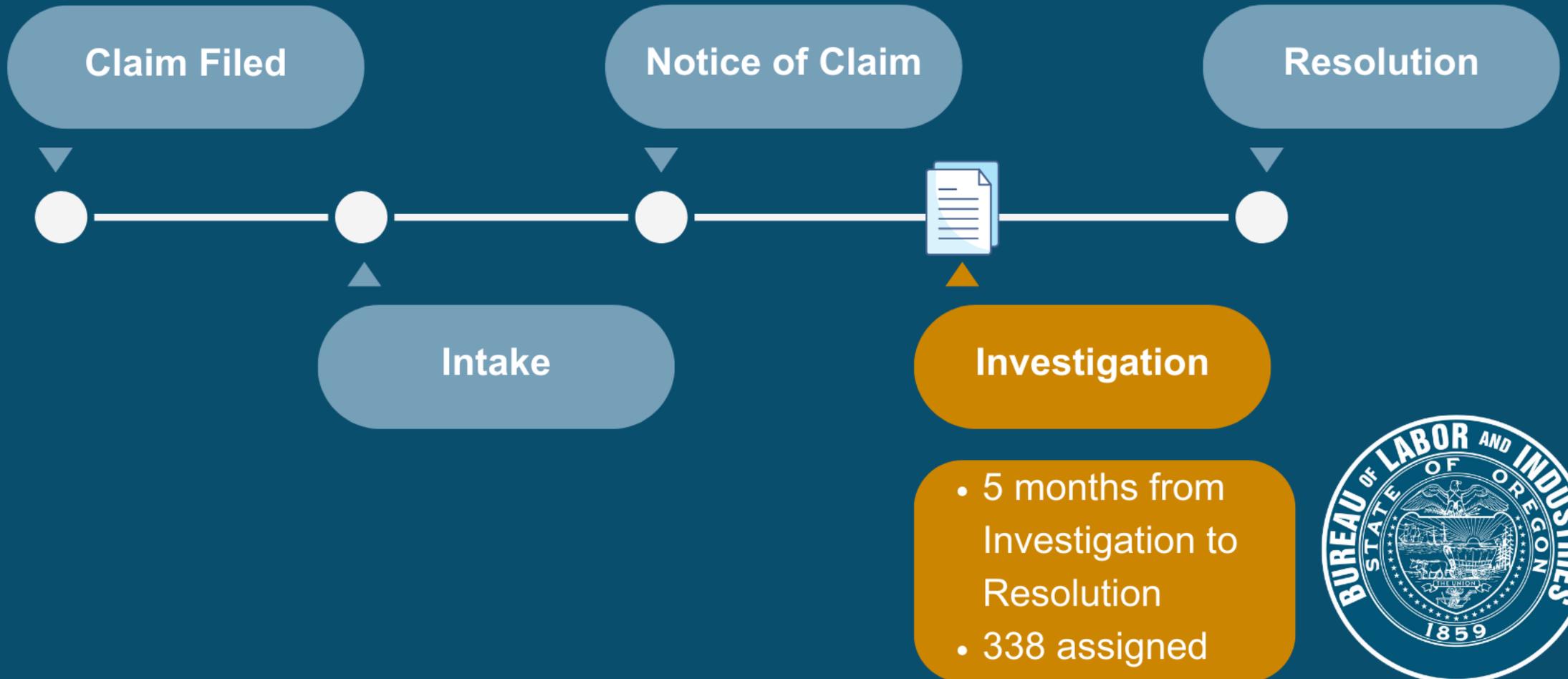


Wage Claim Process

- 60 day wait
- Current backlog: 407 claims pending assignment to investigator

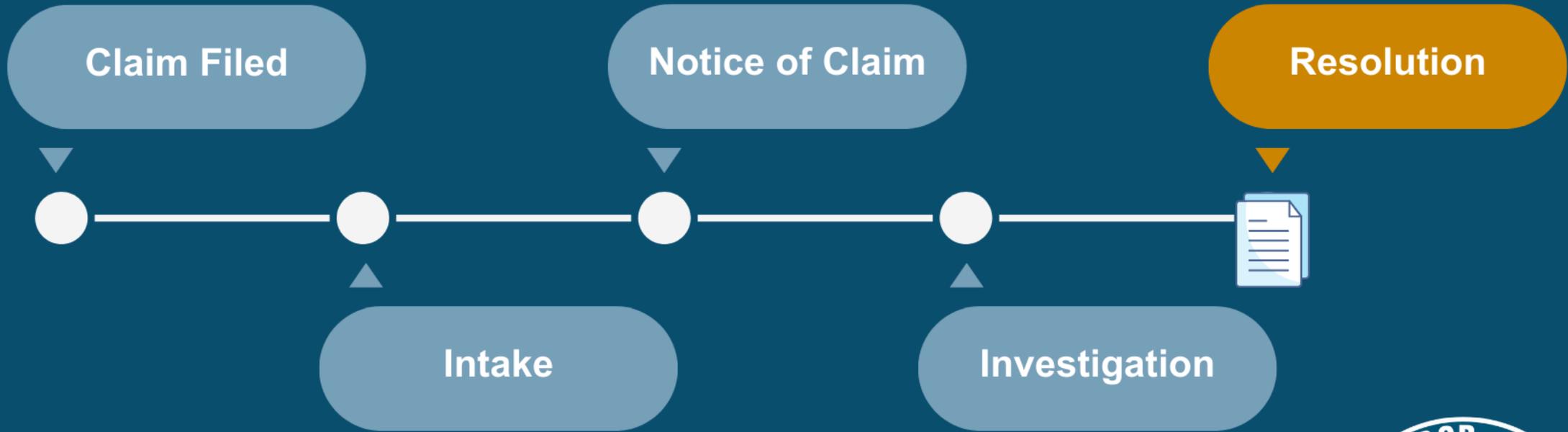


Wage Claim Process



Wage Claim Process

Average total time from Claim Filed to Resolution as of May 2024:
13 months



Cumulative Cases per Investigator



10 Labor Standards
Investigators



2023 Strategies to Address Backlog

- ✓ Improved and streamlined online intake forms, including information getting straight into database
- ✓ Began communicating timeline for claims to workers
- ✓ Focused on fiscal process and training of staff to successfully meet expectations of LFO, securing 9 positions in Wage and Hour during the 23-24 Legislative Sessions
- ✓ Opinion Letters can be requested by Employers, helping them comply and preventing claims
- ✓ Since February 2023, engagement with Class and Comp to do restructuring of Division to address workflow, recruitment, and retention issues
- ✓ Attempted backlog processing starting with oldest and newest complaints to meet in middle
- ✓ Planning Intake Triage Process with national experts began
- ✓ Received two investigator positions (June 2023)
- ✓ Received two conciliator positions (June 2023)



2023 Barriers to Address Backlog

- ❑ Case management system has numerous problems, which increases time to process claims
- ❑ Class and Comp process is lengthy, and only one part of the restructuring
- ❑ Too many new complaints incoming to meet in middle with backlog approach
- ❑ Re: triage plan, claim analysis needed to rely on external party – lengthy and our data is difficult
- ❑ Hiring delays due to bureaucracy



2024 Strategies to Address Backlog

- ✓ Launched new online combined complaint form
- ✓ Continued opinion letters
- ✓ Continued engagement with class and comp
- ✓ Overtime offered for backlog push
- ✓ June 2024 providing all parties with list of attorneys
- ✓ Changed backlog focus starting with oldest first, asking if complainants have been paid
- ✓ Hiring (6) CS1s 9 months early to focus on backlog
- ✓ Hired (3) Conciliator Positions (including repurposing a prosecutor position)
- ✓ Hired (2) Investigator Positions
- ✓ Staff Training on types of Evidence to speed processing
- ✓ Strategic enforcement to encourage future compliance

Former Portal

Filing a complaint
If your rights are being violated at work or in Oregon, you can file a complaint with us.
Learn more about the laws that protect you and your rights by searching for a topic in our [Help Center](#).

Which complaint should you file? Take this short quiz.

[Take the quiz](#)

Complaint forms
Which complaint should you file? Take this short quiz or choose from the list below to complete an online form.
If you have questions, please email boli_help@boli.oregon.gov or call 971-245-3844.

Full list of BOLI complaints:

- [Wage and hour complaint](#) (violations of breaks, meals, sick time, and other laws) (Violaciones de Reglas de Salarios y Horas de Trabajo)
- [Wage claim](#) (if you are owed money from your employer) (Formulario de reclamación de salarios)
- [Prevailing wage complaint](#)
- [Employment discrimination or retaliation complaint](#)
- [Cuestionario De Discriminación En El Empleo](#)
- [Housing discrimination complaint](#)
- [Discriminación En Compra O Alquiler De Vivienda](#)
- [Public accommodations complaint](#)
- [Discriminación por Ausencia Protegida](#)
- [CRD Online Questionnaire Authorization Form](#)
- [FORMULARIO DE AUTORIZACIÓN DE CUESTIONARIO ELECTRÓNICO](#)

[Take the quiz](#)

Investigation process
Learn more about the process of a BOLI investigation and what to expect.

New Portal

Welcome to the Oregon Bureau of Labor and Industries Complaint Resolution Center

Empowering Oregon's Workforce for Fair and Equitable Workplaces
If you find yourself facing injustice at your workplace, in public spaces, or in housing, we are here to support you.

Having Trouble?
Download the [complaint form](#) to fill out manually.

 HELPFUL INFORMATION <ul style="list-style-type: none">• Your Rights At Work• Fair Housing• Your Rights to Public Spaces	 THE INVESTIGATION PROCESS <ul style="list-style-type: none">• Wage and Hour Investigations• Civil Rights Investigations	 WHAT TO HAVE READY <ul style="list-style-type: none">• Filing against your employer• If you are owed wages• Witness information	 ACCESSING MY CASE FILE RECORDS <ul style="list-style-type: none">• You will receive a confirmation email after you have successfully submitted your form.• If you need to request a copy of your case file, please submit a request online or email public_records@boli.oregon.gov.
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[Start the Process](#)



2024 Barriers to Address Backlog

- ❑ Number of claims continues to rise exponentially
 - ❑ **Increase of 193% of filed claims from FY 20 to 24**
- ❑ Case management system causes delays and new system will not come online until 2027 at the earliest– if funded by legislature
- ❑ Hiring and class/comp process
- ❑ Backlog push is with limited duration staff





Comparison to Other State Labor Agencies



Enforcement Thresholds since ~1994

- Maximum of \$10,000 (\$15,000) for the total amount owed, unless the claim involves minimum wage or overtime issues.
 - We don't accept:
 - Commission-based wage claims, unless the claim involves minimum wage issues
 - Claims against close relatives or closely held companies
 - Benefit-only claims, i.e. unpaid vacation time cashouts
 - Expense-only claims, i.e. unpaid reimbursements
-
- Agency has historically stopped taking claims altogether when there was backlog, a practice since at least 2012.



Investments in Agency Over Time

BUREAU OF LABOR & INDUSTRIES TOTAL FTE



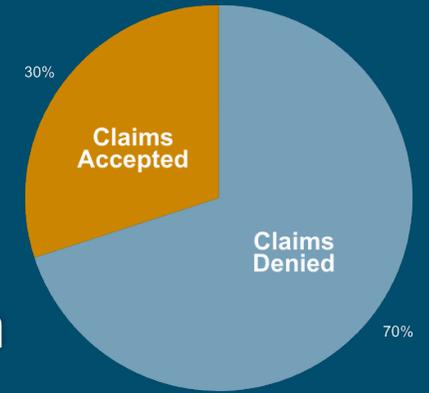
Investment Needed to Fully Address Backlog, accept all claims, and provide quality, timely service to Oregonians

- Updated Database
- 10 Investigators
- 3 customer service staff
- Reclassification, 9.5 Positions
- 2 Intake Staff
- 2 additional management staff
- Total Cost for staff: Approximately \$5,130,000 for 25-27 Biennium



What measures will the agency have to take if it isn't funded to the level required?

- Reject approximately 70% of claims
 - Establish an earnings threshold
 - Lower the total amount of money we can collect on behalf of an individual worker
 - Reduce the types of claims we're accepting – overtime, meal and rest breaks, agreed rate, etc.
- Rework processes and communications to help workers file in court or with BOLI later, if available.
- Stop taking claims altogether for a period



Resource Guide

- Developed Resource Guide with Information on Financial Assistance, Food Aid, and Various Support Services

RESOURCE GUIDE

From the Bureau of Labor and Industries

In recognition of the challenges individuals may face while awaiting the resolution of their cases, this document serves as a resource guide, offering information on legal aid, financial assistance programs, food aid, and various support services.

LEGAL AID

- Legal Aid Services of Oregon 503-224-4086
- Oregon Public Benefits Hotline 1-800-520-5292
- Modest Means Program 503-684-3763
- Northwest Workers' Justice Project 503-525-8454
- Community Alliance of Tenants 503-288-0130
- Oregon Law Center www.oregonlawcenter.org

EMPLOYMENT/FINANCIAL AID

- Ombuds Office for Oregon Workers 503-578-3351
- Job Accommodations Network 800-526-7234
- Oregon Apprenticeship 971-675-0761
- Oregon Family Assistance 503-945-5651
- Oregon Employment Department 800-237-3710

*even if you have been terminated, you may qualify for unemployment benefits

FOOD AID

- Oregon Food Bank 503-282-0555
- SNAP (Food Stamps) 503-945-5600
- Blanchet House 503-241-4340
- Sunshine Division 503-823-2102
- Francis Center 503-755-6784
- Mainspring 503-233-5533

RENT/UTILITIES/HOUSING ASSISTANCE

- Human Solutions 503-548-0200
- Impact NW 503-294-7444
- Low Income Energy Assistance Hotline 1-800-453-5511
- Neighborhood House 503-246-1663
- Center for Hope and Safety 503-399-7722
- Social Services 2-1-1
- Oregon Energy Fund www.oregonenergyfund.org

MENTAL HEALTH SUPPORT

- Crisis Response 9-8-8
- Suicide Hotline (24/7) 1-800-273-8255

 boli.oregon.gov

 971-245-5844

 boli_help@boli.oregon.gov

GUÍA DE RECURSOS

Del Departamento de Trabajo e Industrias

En reconocimiento de los desafíos que las personas pueden enfrentar mientras esperan la resolución de sus casos, este documento sirve como una guía de recursos, ofreciendo información sobre asistencia legal, programas de asistencia financiera, ayuda alimentaria, y varios servicios de apoyo.

AYUDA LEGAL

- Los Servicios Legales de Oregon (Legal Aid Services of Oregon) 503-224-4086
- Línea Directa de Beneficios Públicos de Oregon (Oregon Public Benefits Hotline) 1-800-520-5292
- Programa de Modios Modestos (Modest Means Program) 503-684-3763
- Proyecto de Justicia para los Trabajadores del Noroeste (Northwest Workers' Justice Project) 503-525-8454
- Alianza Comunitaria de Inquilinos (Community Alliance of Tenants) 503-288-0130
- El Centro de Leyes de Oregon (Oregon Law Center) www.oregonlawcenter.org

EMPLEO/AYUDA FINANCIERA

- Red de Acomodación al Empleo (Job Accommodations Network) 800-526-7234
- Oficina del Ombuds para Trabajadores de Oregon (Ombuds Office for Oregon Workers) 503-578-3351
- Aprendizaje en Oregon (Oregon Apprenticeship) 971-675-0761
- Asistencia Familiar de Oregon (Oregon Family Assistance) 503-945-5651
- Departamento de Empleo de Oregon (Oregon Employment Department) 800-237-3710

AYUDA ALIMENTARIA

- Banco de Alimentos de Oregon (Oregon Food Bank) 503-282-0555
- Estampillas de comida (SNAP (Food Stamps)) 503-945-5600
- Casa Blanchet (Blanchet House) 503-241-4340
- La División Sunshine (Sunshine Division) 503-823-2102
- Centro Francis (Francis Center) 503-755-6784
- Mainspring 503-233-5533

ASISTENCIA PARA EL ALQUILER/SERVICIOS PÚBLICOS/VIVIENDA

- Nuestro Futuro Justo (Our Just Future) 503-548-0200
- Impact NW 503-294-7444
- Línea Directa de Asistencia Energética para Personas de Bajos Ingresos (Low Income Energy Assistance Hotline) 1-800-453-5511
- Casa del Vecindario (Neighborhood House) 503-246-1663
- Centro de Esperanza y Seguridad (Center for Hope and Safety) 503-399-7722
- Servicios Sociales (Social Services) 2-1-1
- Fondo de Energía de Oregon (Oregon Energy Fund) www.oregonenergyfund.org

APOYO A LA SALUD MENTAL

- Respuesta a la crisis (Crisis Response) 9-8-8, opción 2
- Línea directa de suicidio (Suicidio Hotline) (24/7) 1-800-273-8255

 boli.oregon.gov

 971-245-5844

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Thank you

