House Bill 3493

Sponsored by Representatives NELSON, RUIZ; Representatives CHAICHI, HUDSON, PHAM H, REYNOLDS

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.

Requires employer to compensate employee for on-call shift for which employee must remain on or near employer’s premises or such that employee cannot use scheduled on-call hours for personal purposes.

A BILL FOR AN ACT

Relating to compensation for on-call shifts.

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

SECTION 1. (1) As used in this section:

(a) “Employee” and “employer” have the meanings given those terms in ORS 652.210.

(b) “On-call shift” means any time that an employer requires an employee to be available to work or to contact the employer or wait to be contacted by the employer for the purpose of determining whether the employee must report to work.

(2)(a) Except as otherwise required by ORS 653.412 to 653.485, an employer shall compensate an employee who is scheduled for an on-call shift for which the employee is required to remain on or nearby the premises of the employer or such that the employee is unable to use the scheduled on-call hours effectively for the employee’s personal purposes, regardless of whether the employee is asked by the employer to perform work.

(b) An employer shall pay an employee scheduled for an on-call shift described in paragraph (a) of this subsection at least the applicable minimum wage rate specified in ORS 653.025.

(3) The requirements of this section do not apply to salaried employees described in ORS 653.020 (3).

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.

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