

# Senate Bill 631

Sponsored by Senators GORSEK, MANNING JR (Presession 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**.

Permits employees of certain state agencies to refuse to work additional mandatory overtime shift scheduled by employer when employee has already worked mandatory overtime in same month.

Prohibits employer from requiring employee to take unpaid leave or use paid time off to make up for refusing to work additional overtime shift, or from taking adverse employment action against employee.

## A BILL FOR AN ACT

1  
2 Relating to mandatory overtime.

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

4 **SECTION 1. (1) As used in this section, "state agency" has the meaning given that term**  
5 **in ORS 84.064.**

6 **(2) If an employer schedules an employee to work a mandatory overtime shift in any**  
7 **month in which the employee has already worked one mandatory overtime shift, the em-**  
8 **ployee may refuse to work the additional overtime shift and the employer may not:**

9 **(a) Discipline, retaliate or take any adverse employment action against the employee for**  
10 **refusing to work the additional shift; or**

11 **(b) Require the employee to take leave without pay or to use paid personal time off, sick**  
12 **leave, vacation leave or any other accrued paid time off or leave to make up for the refusal**  
13 **to work the additional shift.**

14 **(3)(a) This section applies to an employer that is a state agency that operates and is**  
15 **staffed by employees 24 hours per day, seven days per week, 365 days per year.**

16 **(b) This section does not apply to employees subject to ORS 653.268 (4) and (5).**  
17

---

**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.