

# Senate Bill 1190

Sponsored by Senator MANNING JR, Representative PHAM H; Representatives FRAGALA, GAMBA

## 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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act makes new laws with respect to mandatory overtime shifts for some workers. (Flesch Readability Score: 65.7).

Permits employees of residential training homes to refuse to work an additional mandatory overtime shift scheduled by the employer when the employee has already worked a mandatory overtime shift in the same month.

Prohibits residential training home employers from requiring an employee to take unpaid leave or use paid time off to make up for refusing to work the additional overtime shift, or from taking any adverse employment action against the employee.

## A BILL FOR AN ACT

1 Relating to mandatory overtime.

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

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

4 **(a) "Labor organization" has the meaning given that term in ORS 663.005.**

5 **(b) "Letter of agreement" means a binding document that is entered into between a labor**  
6 **organization and an employer that is a residential training home for the purpose of tempo-**  
7 **rarily modifying the terms of a collective bargaining agreement regarding specific working**  
8 **conditions.**

9 **(c) "Residential training home" means a residential training home as defined in ORS**  
10 **443.400 that is:**

11 **(A) Operated by the Department of Human Services; and**

12 **(B) Staffed by employees 24 hours per day, seven days per week, 365 days per year.**

13 **(d) "Written agreement" means:**

14 **(A) A collective bargaining agreement.**

15 **(B) A letter of agreement.**

16 **(2) Unless agreed to otherwise pursuant to a written agreement, if an employer is a**  
17 **residential training home and schedules an employee to work a mandatory overtime shift in**  
18 **any month in which the employee has already worked one mandatory overtime shift, the**  
19 **employee may refuse to work the additional shift and the employer may not:**

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

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

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**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.