

HB 4013 -1 STAFF MEASURE SUMMARY

Senate Committee On Labor and Business

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Meeting Dates: 2/16, 2/18

WHAT THE MEASURE DOES:

The measure establishes that Oregon’s rules on the total hours a minor may work may not be less restrictive than the requirements of the federal Fair Labor Standards Act (FLSA) that are in effect on January 1, 2026. It permits the Oregon Bureau of Labor and Industries (BOLI) to adopt rules to conform to changes in the FLSA or Oregon law that increase protections for minors.

FISCAL: No fiscal impact

REVENUE: No revenue impact

ISSUES DISCUSSED:

- Impetus for the measure
- Extent of BOLI rulemaking authority under the measure
- Actions taken in other states
- Provisions of the measure

EFFECT OF AMENDMENT:

-1 The amendment prohibits BOLI from adopting, applying, or enforcing any rule regarding the total hours a minor can work with respect to employment in agriculture or employment in a family-owned or family-operated business. The amendment defines family-owned or family-operated business.

FISCAL: May have fiscal impact, but no statement yet issued

REVENUE: May have revenue impact, but no statement yet issued

BACKGROUND:

The federal Fair Labor Standards Act (FLSA) establishes minimum wage, overtime, recordkeeping, and youth employment standards for employees in the private sector and in federal, state, and local governments. The FLSA’s child labor provisions were designed to ensure that the employment of minors is safe and does not compromise their health, well-being, or educational opportunities, while also allowing for limited exemptions. Employers are generally required to comply with both state child labor laws and federal child labor regulations under the FLSA. In Oregon, state law directly aligns with the FLSA’s child labor regulations regarding the maximum number of hours a minor may work in nonagricultural employment.

Minors aged 14 and 15 in nonagricultural employment are limited to the following periods when school is in session:

- Maximum of 3 hours on school day
- Maximum of 8 hours on non-school days
- Maximum of 18 hours per week
- Hours are limited to between 7:00 am and 7:00 pm
- No work during school hours

Minors aged 14 and 15 in nonagricultural employment are limited to the following periods when school is not in session:

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- Maximum of 8 hours per day and 40 hours per week
- From June 1 through Labor Day, hours are limited to between 7:00 am and 9:00 pm

PRELIMINARY