



**2011 OREGON LEGISLATIVE SESSION**

**Labor and Employment Laws**

The 2011 Oregon legislative session is in full swing, and there are a number of bills that may impact Oregon employers. What follows is a summary on each of these proposed laws. If you are interested in reading the full-text of a particular bill, follow the link provided. For more information, please send an e-mail to our [Labor and Employment attorneys](#), Andrew Lewis and Amanda Walkup.

<b>Bill</b>	<b>Summary</b>
<a href="#"><u>SB 7</u></a>	This bill creates an income tax credit for employers who create new employment positions that meet certain criteria. There is a \$10 million maximum for all credits allowed.
<a href="#"><u>SB 110</u></a>	This bill allows the Employment Department to notify the employer’s agent of unemployment insurance benefits claim or denial of claim.
<a href="#"><u>SB 199</u></a>	This bill requires certain employers to offer annual vaccinations at no cost to health care employees and to require vaccinations as condition of employment. Provides exemptions. Authorizes Oregon Patient Safety Commission to adopt rules necessary for administration of provisions.
<a href="#"><u>SB 240</u></a>	This bill requires school employees to report acts of harassment, intimidation or bullying and acts of cyberbullying and allows remedial action for failure to report.
<a href="#"><u>SB 257</u></a>	This bill excludes people operating taxicabs or nonemergency medical transportation who have an ownership or leasehold interest in the vehicle from the definition of “employment,” for purposes of unemployment insurance benefits.

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<a href="#"><u>SB 352</u></a>	This bill defines “casual employee” and “temporary employee,” and includes temporary employees in the definition of “appropriate bargaining unit” for purposes of collective bargaining between public employers and public employees.
<a href="#"><u>SB 407</u></a>	This bill removes the exception for a person operating motor vehicle in the scope of that person’s employment from the prohibition of operating motor vehicle while using a mobile communication device.
<a href="#"><u>SB 506</u></a>	This bill allows eligible employees to take family leave to deal with the death of family member. The period of leave is limited to two weeks, or to six weeks with medical verification. The bereavement leave would be counted towards the total period of authorized family leave.
<a href="#"><u>SB 605</u></a>	This bill includes siblings as family members for purposes of OFLA.
<a href="#"><u>SB 610</u></a>	This bill requires day labor service agencies to register with Commissioner of Bureau of Labor and Industries. It also adds requirements for day labor employers such as needing to provide information about work, employer and wages and to provide certain special attire, accessories, tools or safety equipment to day laborers.
<a href="#"><u>SB 611</u></a>	This bill standardizes the definitions of “employ,” “employee,” “employer” and “wages” for purposes of statutes relating to hours, wages, wage claims, employment conditions, employment agencies, farm labor contractors and construction contractors.
<a href="#"><u>SB 612</u></a>	This bill requires construction labor contractors to be licensed by Commissioner of Bureau of Labor and Industries. It also establishes licensing requirements and fees and requires the BOLI commissioner to administer and enforce licensing and regulatory requirements and adopt rules. This bill specifies duties of construction labor contractor and permits commissioner to assess civil penalties for violations as well as prohibit certain actions and discrimination against employees. It also creates cause of action against person acting as construction labor contractor without license and against person using unlicensed contractor.
<a href="#"><u>SB 624</u></a>	This bill establishes an employee’s right for civil action based on unpaid wages and authorizes the creation of a lien on employer’s real and personal property for unpaid wages under certain circumstances.

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<a href="#"><u>SB 628</u></a>	This bill requires each county to annually publish actual gross monthly salary of each county officer or employee and identify title of position, identifying the salary by name of employee.
<a href="#"><u>SB 638</u></a>	This bill provides for extending payment of Oregon emergency benefits to qualifying individuals during emergency benefit period through January 2, 2014.
<a href="#"><u>SB 645</u></a>	This bill allows employers to adopt comprehensive drug-free workplace program, including drug and alcohol testing policies, and exempts employers from civil actions under certain conditions when the employer has adopted comprehensive drug-free workplace program.
<a href="#"><u>SB 646</u></a>	This bill expands ability of employer to prohibit use of medical marijuana in workplace.
<a href="#"><u>SB 666</u></a>	This bill establishes foster parents as public employees for purposes of labor organization activities, prohibits foster parents from striking, and designates appropriate bargaining unit for foster parents.
<a href="#"><u>SB 705</u></a>	This bill limits collective bargaining agreements between state and state employees to term of not more than two years.
<a href="#"><u>SB 725</u></a>	This bill authorizes the Director of the Employment Department to waive recovery of benefits paid due to nonclaimant error if the director finds recovery of benefits would be against equity and good conscience. This bill also changes element required for reopening of hearing upon benefits claim.
<a href="#"><u>SB 734</u></a>	This bill prohibits the state from indemnifying a person in exempt service, unclassified service or management service position for costs of counsel and other costs of defense when judgment is entered against person based on determination that person has engaged in civil rights violation or other unlawful employment practice.
<a href="#"><u>SB 750</u></a>	This bill authorizes a civil penalty for certain unlawful deductions from compensation paid to employees.
<a href="#"><u>SB 825</u></a>	This bill establishes the Work and Family Life Task Force, which is intended to study issues related to work and family life and report to appropriate interim committee of Legislative Assembly. This bill authorizes the task force to make recommendations for legislation. This bill appropriates moneys in Wage Security Fund to Bureau of Labor and Industries for purposes of staff support for task force. Sunsets task force February 4, 2013.

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<p><a href="#"><u>SB 898</u></a></p>	<p>This bill allows Oregon Health Authority or local public health authority to request proof that person performing work at a restaurant meets applicable minimum age requirements and allows for ordering the person subject to minimum age requirement to immediately cease activity if the requested proof of age not supplied. This bill also provides that the failure of a restaurant licensee or manager to provide proof of age for person performing work at restaurant is prima facie evidence licensee has allowed person to perform work in violation of minimum age requirements. This bill also allows the Oregon Liquor Control Commission to request proof that person performing work at premises licensed by the commission meets applicable minimum age requirements and allows the commission to order person subject to minimum age requirement to immediately cease activity if proof of age not supplied. Provides that failure of licensee or manager to provide proof of age for person performing work at premises is prima facie evidence licensee has allowed person to perform work in violation of minimum age requirements.</p>
<p><a href="#"><u>HB 2034</u></a></p>	<p>This bill requires an apprenticeship agreement to be registered within 45 days of start of apprenticeship and modifies the probationary period for registered apprentices. This bill establishes requirements for the transfer of registered apprentice between or within apprenticeship programs and delineates responsibilities of program sponsors and local joint committees. This bill authorizes the division to direct enforcement of apprenticeship and training law by State Apprenticeship and Training Council and requires the division to adopt rules and to evaluate registered apprenticeship programs. It also sets criteria for evaluation, requires reciprocal approval of certain apprenticeship programs and establishes requirements for reciprocal approval of programs.</p>
<p><a href="#"><u>HB 2035</u></a></p>	<p>This bill standardizes the time limitations for filing civil actions for unlawful discrimination.</p>
<p><a href="#"><u>HB 2036</u></a></p>	<p>This bill lowers the standard for determining whether an individual is substantially limited in major life activity and clarifies application of statutes related to unlawful discrimination against persons with disabilities. This bill gives Bureau of Labor and Industries authority to enforce provisions that allow employee to take leave to attend criminal proceeding and removes conflicting provisions related to authority of BOLI to enforce laws related to discriminatory practices. Allows employer to make specified employment decisions based on credit history of certain applicants for public safety officer employment.</p>
<p><a href="#"><u>HB 2037</u></a></p>	<p>This bill requires Commissioner of Bureau of Labor and Industries to award costs and reasonable attorney fees when complainant prevails for cease and desist order and allows the commissioner to award costs and reasonable attorney fees when respondent prevails for cease and desist order only if certain conditions are met.</p>

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<a href="#"><u>HB 2038</u></a>	This bill conforms Oregon law related to expression of milk in workplace to federal law by eliminating for employers of 50 or more employees, exemption from providing rest periods for expression of milk in workplace if granting rest period creates undue hardship.
<a href="#"><u>HB 2039</u></a>	This bill subjects an employer who issues dishonored check for payment of wages to statutory damages and attorney fees and authorizes the Commissioner of Bureau of Labor and Industries to impose penalty for issuance of dishonored check in payment of wages. Requires penalties collected to be paid to employee.
<a href="#"><u>HB 2040</u></a>	This bill requires that unpaid wages requested by employee to be mailed to employee after discharge or termination must be mailed by certified mail and modifies the length of time unclaimed wages collected by Bureau of Labor and Industries must be held before wages are forfeited to state. Makes certain legal summaries available to employers from website of bureau or from bureau upon request.
<a href="#"><u>HB 2041</u></a>	This bill authorizes Commissioner of Bureau of Labor and Industries to issue temporary cease and desist order under certain circumstances.
<a href="#"><u>HB 2049</u></a>	This bill requires the Department of Human Services to reimburse employer for employee expenses for up to three months if employer hires individual placed with employer through JOBS Plus Program and authorizes the department to recover reimbursement paid if employer fails to retain employee for six months. This bill also authorizes certain limits to those receiving temporary assistance for needy families to services provided in job opportunity and basic skills program and allows the department to reduce aid for three consecutive months if participant in job opportunity and basic skills program refuses to comply with program requirements as well as requires the department to terminate aid if participant refuses to comply with program requirements for three months. This bill also expands requirement of assigning rights of support to state to apply to two-parent family receiving aid that is state-funded or not funded by federal temporary assistance for needy families grant, shortens the time limit for receipt of aid from 60 months to 48 months, requires the department to deny aid to dependent child if needy caretaker relative living with child has received aid for 48 months and limits types of exceptions that exclude receipt of assistance from counting toward 48-month limit. Allows family to receive more than 48 months of aid for months in which specified conditions exist. Extends to July 1, 2013, certain temporary provisions.

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<a href="#"><u>HB 2060</u></a>	This bill authorizes the Employment Department to disclose employment-related information to Department of Human Services and Oregon Health Authority to assist in collection of certain debts.
<a href="#"><u>HB 2091</u></a>	This bill authorizes the Director of Department of Consumer and Business Services to determine languages other than English and Spanish in which certain information made available to agricultural employers for dissemination to employees shall be provided.
<a href="#"><u>HB 2092</u></a>	This bill clarifies the exclusive remedy provisions of workers' compensation laws. It also provides for administrative review of certain matters arising under workers' compensation laws and rules, modifies the manner in which notice of compliance is made available to subject employers, eliminates requirement for consultation with certain professional licensing boards when rules are adopted concerning appropriateness of certain types of medical treatment, and allows medical service providers to seek resolution of medical service disputes through same process as workers, employers and insurers. Restores authority of Director of Department of Consumer and Business Services to extend temporary disability compensation paid to workers in vocational training.
<a href="#"><u>HB 2093</u></a>	This bill limits the provision of managed care services for injured workers to certified managed care organizations. It authorizes the imposition of sanction that includes civil penalty for violation and allows issuance of cease and desist order for repeated or willful violation.
<a href="#"><u>HB 2109</u></a>	This bill modifies certain provisions related to employees of residential facilities serving individuals with alcohol or drug dependence to exclude them from criminal records check requirement, exempt them from elder abuse reporting requirements and reinstate exemption from disqualification due to conviction of specified crimes.
<a href="#"><u>HB 2157</u></a>	This bill requires that applicant for landscape contracting business license who is an exempt independent contractor and enters into contract with worker leasing company or temporary service provider must ensure that workers supplied to business by leasing company or service provider are covered by workers' compensation insurance. It also requires landscape contracting business who is nonexempt independent contractor to maintain workers' compensation insurance coverage for landscape contracting business. This bill makes a violation of workers' compensation insurance requirement subject to civil penalty, not to exceed \$2,000 and makes a violation of workers' compensation requirement or proof of coverage requirement grounds for suspension, revocation or refusal of license.

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<a href="#"><u>HB 2230</u></a>	This bill requires an employer to offer first payment of wages to employee within 14 days of first day of employment and makes failure to offer payment punishable by maximum fine of \$720.
<a href="#"><u>HB 2240</u></a>	This bill repeals the sunset on provisions permitting an employee who serves food or beverages, receives tips and reports tips to employer to waive meal period and prohibiting employer from coercing employee into waiving meal period.
<a href="#"><u>HB 2241</u></a>	This bill expands the definition of term “uniformed service” for purpose of employment protections for members of uniformed service to match federal definition and includes initial active duty for training as type of military leave for which public employee may take leave of absence.
<a href="#"><u>HB 2243</u></a>	This bill allows the Attorney General or Commissioner of the Bureau of Labor and Industries to file civil action in relation to discrimination against person for service in uniformed service.
<a href="#"><u>HB 2313</u></a>	This bill instructs the Bureau of Labor and Industries to study the development of definition of “independent contractor” by rule for purpose of determination of independent contractor status.
<a href="#"><u>HB 2319</u></a>	This bill establishes a process for random external file review in certain workers’ compensation claims and limits independent medical examination requests in workers’ compensation claim to one request by employer or self-insured employer and one request by worker. Authorizes Director of Department of Consumer and Business Services to adopt rules concerning random external file reviews.
<a href="#"><u>HB 2346</u></a>	This bill prohibits an employer or insurer from requiring injured worker to obtain nonemergency medical services from specific provider. It also exempts employer or insurer that has managed care organization contract and requires employer to provide injured worker with written notice of medical treatment rights in workers’ compensation claim.
<a href="#"><u>HB 2348</u></a>	This bill modifies the definition of “supervisory employee” for purposes of public employee collective bargaining law.

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<a href="#"><u>HB 2355</u></a>	This bill establishes a Short-Term Disability Insurance Program and requires the Bureau of Labor and Industries to administer program and adopt rules. This bill authorizes participation in voluntary plan if approved by bureau and requires employers to withhold from employees' wages amounts necessary to pay premiums. This bill imposes penalties for certain violations. Establishes Short-Term Disability Benefit Fund. Appropriates moneys in fund to bureau for purposes of Short-Term Disability Insurance Program.
<a href="#"><u>HB 2360</u></a>	This bill provides that an employer who discloses information about current or former employee's job performance to prospective employer of employee is presumed to be acting in good faith and immune from civil liability unless presumption is rebutted by clear and convincing evidence.
<a href="#"><u>HB 2446</u></a>	This bill modifies certain definitions and exceptions applicable to prohibition against employer taking adverse employment action against employee who declines to attend meeting or participate in communication concerning employer's opinion about religious or political matters. Modifies damages available to employee prevailing in civil action.
<a href="#"><u>HB 2469</u></a>	This bill establishes review processes for certain employer determinations made by Department of Revenue and Employment Department based on finding that one or more workers are employees and not independent contractors. Modifies laws relating to Interagency Compliance Network. Eliminates references to network and substitutes references to specific agencies.
<a href="#"><u>HB 2470</u></a>	This bill exempts meetings of Interagency Compliance Network and of member agencies for Interagency Compliance Network purposes from public meetings law.
<a href="#"><u>HB 2574</u></a>	This bill requires employer to withhold at least ___ percent of employee wages, regardless of withholding exemptions claimed by employee. Applies to wages paid on or after January 1, 2012.
<a href="#"><u>HB 2604</u></a>	This bill permits the worker with claim to unpaid wages and fringe benefits under prevailing wage law to commence and maintain independent action to recover wages and fringe benefits in circuit court of state and to obtain award of attorney fees and costs if worker prevails in action.
<a href="#"><u>HB 2608</u></a>	This bill prohibits public employer from hiring replacement workers for public employees engaged in lawful strike.

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<a href="#"><u>HB 2771</u></a>	This bill repeals statutes related to mandatory workplace communication of employer's opinions about religious and political matters.
<a href="#"><u>HB 2802</u></a>	This bill prohibits restrictions on a public body's ability to enforce immigration law to extent permitted by federal law. It authorizes legal resident to bring civil action against public body that violates prohibition, requires peace officers to make reasonable attempts to determine immigration status of person stopped or arrested for crime, and requires the county to verify immigration status of person incarcerated in county correctional facility. This bill also authorizes law enforcement agencies to enter into agreement with federal government for purposes of enforcing immigration law and creates the crime of failure to carry an alien registration document punishable by the maximum of 30 days' imprisonment, \$1,250 fine, or both. It also creates the crime of smuggling which is punishable by the maximum of 10 years' imprisonment, \$250,000 fine, or both.
<a href="#"><u>HB 2828</u></a>	This bill creates an unlawful employment practice if employer ceases to provide health, disability, life or other insurance during period employee is serving or is scheduled to serve as juror and provides that employer commits unlawful employment practice if employer discharges, threatens to discharge, intimidates or coerces employee by reason of employee's service or scheduled service as juror.
<a href="#"><u>HB 2832</u></a>	This bill expands prohibited acts related to harassment, intimidation or bullying or to cyberbullying to include actions by or against school employees and recognizes that student or school employee may take reasonable actions to defend against physical act of harassment, intimidation or bullying. Requires school employee to report act of harassment, intimidation or bullying or of cyberbullying.
<a href="#"><u>HB 2833</u></a>	This bill requires day labor service agencies to register with Commissioner of Bureau of Labor and Industries and requires employer to provide information about work, employer and wages and to provide certain special attire, accessories, tools or safety equipment to day laborers. This bill prohibits employers from retaliating or taking certain other actions against day laborers or third party employers and requires commissioner to adopt rules to implement and enforce law such as assessment of civil penalties and to deny, suspend or revoke registration of day labor service agency. This bill prohibits employers from discriminating in compensation against part-time employees and employees in contingent jobs and prohibits person from entering into contract for labor or services with certain contractors when person knows or should know that contract does not include sufficient funds to allow contractor to comply with laws governing labor or services to be provided. Regulates entity that procures employment for others as employment agency when entity's services are paid

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	for by anyone other than job applicant. Increases amount of bond or other security employment agency must maintain. Prohibits employment agencies from charging applicants for certain items or services. Prohibits employment agencies from taking certain actions against applicants. Creates cause of action for violations.
<a href="#"><u>HB 2834</u></a>	This bill standardizes definitions of “employ,” “employee,” “employer” and “wages” for purposes of statutes relating to hours, wages, wage claims, employment conditions, employment agencies, farm labor contractors and construction contractors.
<a href="#"><u>HB 2836</u></a>	This bill requires the Construction Contractors Board to investigate and process complaint for unpaid wages if certain conditions met, prohibits the board from rejecting a complaint or refusing to open investigation on certain grounds, and requires the board to suspend license of contractor that fails to satisfy judgment for unpaid wages and to post summary of unpaid judgment information on board website. This bill requires the board, to extent practicable, to actively recruit and hire multilingual persons when filling positions that require contact with public. Repeals requirement on January 2, 2014. Makes failure to comply with certain statutes regarding payment of wages upon termination, wage rates or conditions of employment grounds for imposing license sanctions or civil penalty against contractor and expands requirement that construction contractor provide board with copy of unpaid judgment against contractor. Allows person that construction contractor permits or suffers to perform work for contractor to file complaint for unpaid wages. Increases total amount that may be paid from residential contractor bond to satisfy complaint of nonowner. Increases total amount that may be paid from residential contractor bond for costs, interest and attorney fees.
<a href="#"><u>HB 2837</u></a>	This bill establishes the right of employee for civil action based on unpaid wages and authorizes creation of lien on employer’s real and personal property for unpaid wages under certain circumstances. Establishes priority of lien for amounts of unpaid wages up to specified amount. Creates exception.
<a href="#"><u>HB 2844</u></a>	This bill makes a violation by employer of statute providing for leave of absence by employee who is search and rescue volunteer unlawful employment practice and authorizes employee to file complaint for violation with Commissioner of Bureau of Labor and Industries or to file civil action.
<a href="#"><u>HB 2850</u></a>	This bill includes siblings as family members for purposes of family leave.
<a href="#"><u>HB 2861</u></a>	This bill prohibits discrimination against members of certain protected classes in payment of wages for work of comparable character that requires comparable skills to perform.

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<a href="#"><u>HB 2862</u></a>	This bill extends certain employee protections to persons working for educational purposes and persons performing services without compensation.
<a href="#"><u>HB 2905</u></a>	This bill requires granting family leave to employee for academic activities of employee's child in manner provided for other family leave. Requires granting 18 hours of family leave for academic activities within any one-year period. Requires employee to give notice of leave to employer. Creates exceptions.
<a href="#"><u>HB 2906</u></a>	This bill includes class size in definition of "employment relations" for school district collective bargaining and prohibits public employer from hiring permanent replacements for public employees engaged in lawful strike. Authorizes public employer to hire temporary replacements for striking public employees.
<a href="#"><u>HB 2918</u></a>	This bill creates Small Business Health Insurance Pool in Oregon Health Authority, to be administered by Oregon Medical Insurance Pool Board. Permits small businesses to participate in Oregon Prescription Drug Program.
<a href="#"><u>HB 2919</u></a>	This bill authorizes Oregon Business Development Department to make grants to small businesses from Building Opportunities for Oregon Small Business Today Account if business hires veteran as new full-time employee.
<a href="#"><u>HB 2932</u></a>	This bill requires Oregon Department of Administrative Services to develop and implement plans establishing four-day, 10-hour-per-day workweek for state employees, with certain exceptions. Requires department to report biannually to Legislative Assembly results of implementation of four-day workweek.
<a href="#"><u>HB 2933</u></a>	This bill declares agreements between employers and customer that prohibit utilizing services of former employee of employer by customer unless customer pays employer penalty or moneys void and unenforceable if prohibition exceeds two years. Establishes right to bring civil action for violation.
<a href="#"><u>HB 2973</u></a>	This bill requires employer to verify legal status of employee to be employed in United States through federal E-Verify program prior to deducting expenses related to worker's employment from Oregon taxable income. Prohibits deduction of wages paid to unverified employee as business expense for purposes of Oregon taxation.
<a href="#"><u>HB 2995</u></a>	This bill requires Employment Department to adopt rules requiring drug testing of applicants for and recipients of unemployment insurance benefits. Applies to applicants for and recipients of unemployment insurance benefits on or after July 1, 2012.

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<a href="#"><u>HB 3030</u></a>	This bill exempts certain individuals providing volunteer golf course marshal services from minimum wage standards and mandatory workers' compensation coverage.
<a href="#"><u>HB 3034</u></a>	This bill provides that judge or clerk of court may not defer jury service for person more than once unless person seeks deferral for specified emergency and person could not have anticipated circumstances when first deferral was granted and provides that employer may not require that employee use vacation leave, sick leave or annual leave for time spent by employee in responding to summons for jury duty and that employer must allow employee to take leave without pay for time spent by employee in responding to summons for jury duty.
<a href="#"><u>HB 3045</u></a>	This bill requires employer to verify legal status of employee to be employed in United States through federal E-Verify program prior to deducting expenses related to worker's employment from Oregon taxable income. Prohibits deduction of wages paid to unverified employee as business expense for purposes of Oregon taxation.
<a href="#"><u>HB 3052</u></a>	This bill creates income tax credit for hiring of qualified employees by taxpayer. Applies to tax years beginning on or after January 1, 2012, and prior to January 1, 2013.
<a href="#"><u>HB 3053</u></a>	This bill creates income tax credit for hiring of qualified employees by taxpayer with fewer than 100 employees. Applies to tax years beginning on or after January 1, 2012, and prior to January 1, 2013.
<a href="#"><u>HB 3122</u></a>	This bill establishes that employee who returns to work after taking family leave is entitled to be restored to available equivalent position instead of being restored to same position of employment held by employee before taking leave.
<a href="#"><u>HB 3134</u></a>	This bill limits the use of personality tests when education employer is making employment decisions related to person who will provide educational services. Allows person who took personality test to review results, provide mitigating evidence and retake test.
<a href="#"><u>HB 3161</u></a>	This bill establishes that owner or operator of business where live entertainment is provided who requires performers to remit portion of tips received while performing is employer of performer.
<a href="#"><u>HB 3186</u></a>	This bill removes exception for person operating motor vehicle in scope of person's employment from offense of operating motor vehicle while using mobile communication device.

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<a href="#"><u>HB 3231</u></a>	This bill allows state officer or employee who authorizes payment of moneys to labor organization through payroll deduction to designate political party to which moneys from deduction expended by organization for political purposes may be donated.
<a href="#"><u>HB 3266</u></a>	This bill removes persons performing construction, electrical or plumbing work for more than two employers at same time from coverage of employee exemption to construction contractor, electrical and plumbing laws. Specifies exemption of regular employee of residential property owner exempted from plumber licensing laws. Clarifies scope of residential property owner exemption.
<a href="#"><u>HB 3279</u></a>	This bill authorizes employers to pay employees under 18 years of age hourly wage consistent with federal minimum wage for period of 90 days from date employee begins work.
<a href="#"><u>HB 3330</u></a>	This bill limits the retroactivity of release of injured worker to regular employment or declaration of medically stationary status for termination of payment of temporary disability benefits and creation of overpayment of benefits. This bill also prohibits insurer or self-insured employer from recovering overpayment during period in which insurer or self-insured employer did not unilaterally suspend payment of compensation when authorized to do so and modifies circumstances under which insurer or self-insured employer may cease paying temporary total disability benefits and commence payment of temporary partial disability benefits. Limits termination of payment of benefits for misconduct to period of claim opening in which termination occurs. Requires written notification to worker of reasons for termination of payment of benefits and of appeal rights.
<a href="#"><u>HB 3369</u></a>	This bill deletes requirement that commercial construction contractor classified as exempt independent contractor obtain workers' compensation insurance.
<a href="#"><u>HB 3401</u></a>	This bill establishes Work and Family Life Task Force and directs the task force to study issues related to work and family life and report to appropriate interim committee of Legislative Assembly. Authorizes task force to make recommendations for legislation. Appropriates moneys in Wage Security Fund to Bureau of Labor and Industries for purposes of staff support for task force. Sunsets task force February 4, 2013.
<a href="#"><u>HB 3402</u></a>	This bill requires each school district, education service district and public charter school to adopt policy related to employees wearing religious clothing while performing official duties.

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<a href="#"><u>HB 3427</u></a>	This bill excludes certain subjects from mandatory collective bargaining between state and certified or recognized representative of employees. Prohibits state from entering into collective bargaining agreement on certain subjects.
<a href="#"><u>HB 3450</u></a>	This bill reduces to 72 hours the minimum time before first day of employment that employer is required to notify employee in written employment offer that arbitration agreement or noncompetition agreement is required as condition of employment.
<a href="#"><u>HB 3457</u></a>	This bill allows performer in scripted stage, motion picture or television production to smoke in public place or place of employment in certain circumstances.
<a href="#"><u>HB 3479</u></a>	This bill modifies the authority of Workers' Compensation Board and of board chairperson and limits term of employment of certain employees of Workers' Compensation Board. Requires Employment Relations Board to make determination if Administrative Law Judge employed by Workers' Compensation Board may be terminated.
<a href="#"><u>HB 3482</u></a>	This bill requires certain employers to allow eligible employees to take unpaid leave to address issues arising from harassment or sexual harassment and prohibits employer from taking certain employment actions toward individual who is victim of harassment or sexual harassment. This bill also requires employer to make reasonable safety accommodation requested by employee who is victim of harassment or sexual harassment. Makes violation unlawful employment practice. Allows certain state employees in unclassified or exempt service to be accompanied by individual selected by employee to be present during any interview with employee requested by employer.
<a href="#"><u>HB 3490</u></a>	This bill clarifies responsibility of counties to provide workers' compensation coverage to qualified search and rescue volunteers.
<a href="#"><u>HB 3497</u></a>	This bill provides that state laws related to prevailing rates of wage are not operative on and after January 1, 2012, and until January 1, 2016. Provides that other provisions that incorporate, rely upon, implement or depend upon state laws are not operative to extent of incorporation, reliance, implementation or dependence. Requires Commissioner of Bureau of Labor and Industries to determine prevailing rate of wage by means of survey. Requires contracting agencies to pay fee to pay costs of survey and determination. Requires agency that conducts procurement for public works project to compare contract price that would result from paying prevailing rate of wage with contract price that would result from not paying prevailing wage and to report results to Legislative Assembly. Requires agency to segregate from appropriation for project

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	amount equivalent to 25 percent of difference, for transfer to Oregon Rainy Day Fund. Becomes operative January 1, 2012. Sunsets January 1, 2016.
<a href="#"><u>HB 3499</u></a>	This bill requires all increases in state employee compensation provided for by collective bargaining agreement between state and exclusive representative of state employees in bargaining unit covered by agreement to be based on performance of employee for which increase is proposed. Prohibits granting of increases in state employee compensation that are implemented on predetermined schedule without prior evaluation of performance of employee.
<a href="#"><u>HB 3532</u></a>	This bill allows worker leasing companies and temporary service providers to apply for loan or grant from Building Opportunities for Oregon Small Business Today (BOOST) Account.
<a href="#"><u>HB 3549</u></a>	This bill allows person to teach certain courses in schools without being licensed by or registered with Teacher Standards and Practices Commission if certain requirements are met. Specifies restrictions to employment.

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