

2007 BOLI Legislative Summary Table

The 2007 Legislature passed a number of bills that will affect employers. Most of these laws will go into effect January 1, 2008. The Bureau of Labor and Industries is in the process of rulemaking. If you want to receive notices of proposed changes or have specific questions about the upcoming changes, send your name, e-mail address, and comments or questions to: BOLI.Legislation@state.or.us

Below is an explanation of the legislative changes. To read the bill, go to http://www.leg.state.or.us/bills_laws/

BILL #	Effective Date	SUMMARY	RULE REVISIONS?	
			YES	NO
HB 2253	1/1/08	Streamlines subpoena enforcement authority/process	X	
HB 2254	1/1/08	Requires personnel records to be provided within 45 days of request; provides civil penalties for violations	1	
HB 2255	1/1/08	Makes wage/hour-related discrimination/retaliation an unlawful employment practice under ORS 659A (Civil Rights law)	X	
HB 2256A	1/1/08	Allows payment of wages through direct deposit/electronic payments under certain circumstances; provides civil penalties for violations	1	
HB 2258A	1/1/08	Requires wage underpayments of 5% or more of employee's wages to be corrected within three days (excluding Saturdays, Sundays and holidays)		X
HB 2259	06/04/07	Extends the time frame for filing OSHA retaliation complaints from 30 to 90 days.	X	
HB 2260	01/01/08	Clarifies state law concerning employment discrimination allowing for actual compensatory damages.	X	
HB 2261A	01/01/08	Updates Chapter 660 relating to Apprenticeship Training.	X	
HB 2372*	01/01/08	Allows use of rest periods for expression of breast milk in the workplace.	X	
SB 5521	07/01/07	BOLI agency budget bill.		X
SB 248C (previously HB 2257/SB 616)	1/1/08	Makes arbitration and non-competition agreements unenforceable under certain circumstances.		X
SB 403*	1/1/08	Requires BOLI to adopt rules regarding meal periods for tipped food/beverage service employees; provides civil penalties for violations	X	
SB 202	1/1/08	Requires farm labor contractors (in addition to forest labor contractors) to provide proof of workers comp insurance	X	
SB 203	1/1/08	Increases minimum amount of damages recoverable from person as acting as farm labor contractor from \$500 to \$2,000 or actual damages, whichever is greater, for certain violations		X
SB 204	1/1/08	Allows process service on unregistered farm worker camp operators to be made on commissioner if person unavailable to accept service	X	

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SB 725A*	1/1/08	Brings Oregon's housing discrimination statutes into substantial compliance with federal fair Housing Act; allows BOLI to enter into contract with federal Department of Housing and Urban Development to become local enforcement agent.	X	
SB 2*	1/1/08	Prohibits discrimination, in specified areas of law (employment, housing, public accommodations, public education, adult foster homes and foster parenting) against persons based on sexual orientation. Defines "sexual orientation" as "an individual's actual or perceived heterosexuality, homosexuality, bi-sexuality or gender identity, regardless of whether the individual's gender identity, appearance, expression or behavior differs from that traditionally associated with the individual's sex at birth." Authorizes enforcement of prohibition through civil action for actual and punitive damages. Authorizes attorney fees in civil proceedings for unlawful discrimination. Requires state agencies to eliminate discrimination against persons based on sexual orientation.	X	
SB 197*	1/1/08	Specifies confidential information that Employment Department is required or allowed to disclose. Describes purposes for which disclosed information may be used. Requires, in some cases, recipient of information to pay costs of disclosing information.		X
SB 624*	1/1/08	Places advocacy commissions under Bureau. Labor and Commissioner and 4 chairs of citizen commissions select executive director.		X
SB 946*	5/25/07	Requires certain employers to allow eligible employees to take unpaid leave to obtain services or treatment relating to domestic violence, sexual assault or stalking. Allows employer to limit amount of leave if leave creates undue hardship to employer's business. Creates cause of action for refusal to grant leave.		X
HB 2485*	1/1/08	Expands purposes for which employee taking family leave may use paid sick leave.	X	

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HB 2635*	01/01/08	Allows eligible employee to take family leave from work to care for grandparent or grandchild. Provides that covered employer commits unlawful practice if employer denies family leave to which eligible employee is entitled or retaliates or discriminates against individual because of inquiry about or lawful exercise of family leave provisions.	X	
HB 2460*	01/01/2008	Redefines “family leave” to exclude leave taken by employee who is unable to work because of disabling compensable injury under Workers Compensation Law.	X	
HB 2674*	01/01/08	Requires employer to pay over, in accordance with law or agreement requiring or authorizing deductions from wages, amounts deducted from employee’s wages. Makes failure to pay as required unlawful deduction. Allows Commissioner of Bureau of Labor and Industries to assess civil penalty for unlawful deduction. Adds tax exempt organization designated by rule of state agency to definition of “foundation” for purposes of authorized deductions from state agency officer and employee wages and salaries.	X	
HB 2021*	1/1/08	Requires BOLI to apply federal Davis-Bacon (DBA) interpretations on Prevailing Wage Rate (PWR) projects also subject to federal DBA; Increases PWR fees through 12/31/10; Requires public agencies (rather than contractors) to pay fees; Requires BOLI to develop plan to increase diversity among workers employed on PWR projects.	X	
HB 2140*	7/1/07	Exempts certain public-private projects and affordable housing projects from requirements of PWR laws; Further defines “funds of a public agency”; Requires BOLI to issue coverage predeterminations; Requires BOLI to “divide” projects under certain circumstances.	X	
HB 2473*	01/01/08	Reduces required term of apprenticeship for limited journeyman sign electrician, limited journeyman stage electrician and Class A limited energy technician. Limits work by limited maintenance electrician to systems that are less than 600 volts phase to phase. Eliminates Class I oil module electrician’s license, Class II oil module electrician’s license, limited journeyman railroad electrician license and limited journeyman industrial electrician license. Provides that eliminated licenses in effect on effective date of Act expire at end of license term and may not be renewed.		X

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HB 2776*	1/1/08	Extends exemption eligibility period from PWR bond for Disadvantaged, Minority, Women, or Emerging Small Business Enterprise contractors from one to four years; Also exempts contractors on PWR projects under \$100,000.	X	

*Non-agency bills

¹At minimum, need to amend civil penalty rules to include new provisions