

SB 716 A STAFF MEASURE SUMMARY

Carrier: Sen. Taylor

Senate Committee On Labor and Business

Action Date: 04/13/21

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 5-0-0-0

Yeas: 5 - Hansell, Jama, Kennemer, Lieber, Riley

Fiscal: No fiscal impact

Revenue: No revenue impact

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Meeting Dates: 3/2, 4/1, 4/13

WHAT THE MEASURE DOES:

Clarifies that child care needs are a reason for which an employee may identify limitations or changes to the employee's work schedule, when employed by a large retail, food service, or hospitality employer. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- History of predictive scheduling and recommendations from interim work group on child care
- Disproportionate impact of pandemic on working mothers
- Need to balance predictive scheduling requirements to ensure clarity and consistency
- Consensus amendments from stakeholders

EFFECT OF AMENDMENT:

Removes requirement to reasonably accommodate employee's work schedule availability related to child care needs. Includes child care needs under limitations or changes in employee's work schedule availability.

BACKGROUND:

Enacted in 2017, Oregon's predictive work scheduling laws require retail, food service, and hospitality employers with 500 or more employees worldwide to provide good faith estimates of employees' work schedules, seven days advanced written notice of work schedules, predictability pay when schedules change, and extra compensation for hours worked when fewer than 10 hours separate shifts. The law also gives employees the right to identify any limitations or changes in their work schedule availability and to request to not be scheduled for work shifts during certain times or at certain locations. Employers are not obligated to grant an employee's request, but may not retaliate against an employee for making a schedule request.

Senate Bill 716-A amends Oregon's predictive scheduling laws to explicitly include child care needs under the work schedule limitations or changes that an employee may request of a large retail, food service, or hospitality employer.