



Open Government Impact Statement

81st Oregon Legislative Assembly
2021 Regular Session

Measure: HB 2358 - A

Only impacts on Original or Engrossed
Versions are Considered Official

Prepared by: Cameron D. Miles
Date: 6/22/2021

SUMMARY

Prohibits employers from permitting, requiring or suffering agricultural workers to work in excess of certain maximum hours in one workweek unless workers are compensated for overtime hours worked. Phases in requirement over three calendar years.

Authorizes Commissioner of Bureau of Labor and Industries to enforce wage claim regarding overtime pay for agricultural workers. Authorizes commissioner to assess civil penalty for willful violations of overtime pay requirements.

Requires Oregon Business Development Department to develop and implement overtime compensation payment program to assist employers of agricultural workers in paying required overtime to workers. Establishes Agricultural Worker Overtime Account. Appropriates moneys from General Fund to department for deposit into account to carry out purposes of program. Sunsets program on January 2, 2026.

OPEN GOVERNMENT IMPACT

Legislative Counsel has not adopted standards for drafting measures that establish exemptions from disclosure of public records.

This measure exempts from public disclosure information and documents that are submitted by employers of agricultural workers to the Oregon Business Development Department with applications for the overtime compensation payment program. It also exempts from public disclosure information received by the department from state agencies for the development and implementation of the program.

If those public records were instead subject to mandatory disclosure under public records law, the public could receive information relating to employers that apply to the department for payments from the program and their payment of wages to agricultural workers.