

SB 631 STAFF MEASURE SUMMARY

Senate Committee On Labor and Business

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Meeting Dates: 2/2

WHAT THE MEASURE DOES:

Allows employee of certain state agency employers to refuse mandatory overtime shift if employee has already worked one mandatory overtime shift in same month. Prohibits specified state agency employer from taking adverse employment action against employee for refusing additional overtime shift. Prohibits specified state agency employer from requiring employee to take leave without pay or paid leave for refusal to work additional overtime shift.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Currently, employees of any public employer are entitled to overtime pay at one and one-half times the regular rate for work in excess of 40 hours a week, if budget funds are available. If funds are not available, then employees are entitled to compensatory time off at the same rate. There are several exceptions to this requirement, including for security personnel working in corrections institutions.

In 2016, the Oregon Department of Corrections (department) began a strategic 10-year plan to reduce mandatory overtime. In past years, department employees identified staffing and mandatory overtime as top priorities for the department to address. In 2019, the Legislative Assembly enacted restrictions on the amount of mandatory overtime nursing staff at department facilities may be required to work, with specified exceptions.

Senate Bill 631 allows employees of a state agency employer that operates and is staffed 24 hours a day, 365 days a year, to refuse mandatory overtime if the employee has already worked one mandatory overtime shift in the same month.