

House Bill 3493

Sponsored by Representatives NELSON, RUIZ; Representatives CHAICHI, HUDSON, PHAM H, REYNOLDS

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires employer to compensate employee for on-call shift for which employee must remain on or near employer's premises or such that employee cannot use scheduled on-call hours for personal purposes.

A BILL FOR AN ACT

1
2 Relating to compensation for on-call shifts.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) As used in this section:**

5 (a) **"Employee" and "employer" have the meanings given those terms in ORS 652.210.**

6 (b) **"On-call shift" means any time that an employer requires an employee to be available**
7 **to work or to contact the employer or wait to be contacted by the employer for the purpose**
8 **of determining whether the employee must report to work.**

9 (2)(a) **Except as otherwise required by ORS 653.412 to 653.485, an employer shall com-**
10 **pensate an employee who is scheduled for an on-call shift for which the employee is required**
11 **to remain on or nearby the premises of the employer or such that the employee is unable**
12 **to use the scheduled on-call hours effectively for the employee's personal purposes, regard-**
13 **less of whether the employee is asked by the employer to perform work.**

14 (b) **An employer shall pay an employee scheduled for an on-call shift described in para-**
15 **graph (a) of this subsection at least the applicable minimum wage rate specified in ORS**
16 **653.025.**

17 (3) **The requirements of this section do not apply to salaried employees described in ORS**
18 **653.020 (3).**

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NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.