

Senate Bill 426B Makes Oregon the First State in The Nation to Hold Owners Liable for Wages They Already Paid

Senate Bill 426B Shifts Blame, It DOES NOT Address Wage Theft

Our Minority Report Gets At The Heart of The Problem By:

Removing ALL Owners From Liability

- This would align Oregon with all other 49 states who do NOT hold owners liable.

Creating An Interagency Agreement Between BOLI & CCB

- There are currently TWO licensed Construction Labor Brokers in the State of Oregon. There are HUNDREDS in other sectors. By linking the work being done at BOLI, to the enforcement actions of the CCB, our state can start to get at the real issue and hold labor brokers accountable.

Providing Non-Union Contractors The Opportunity To Have Binding Arbitration

- Binding Arbitration is a formal process where parties agree to resolve a dispute through a neutral third party (the arbitrator) instead of going to court. This gives nonunion contractors the opportunity to use binding arbitration.

Utilizing An Existing Taskforce To Study Human Trafficking & Wage Theft

- The Oregon DOJ has ONE full-time state position dedicated to Human Trafficking. Unlike Senate Bill 426B which shifts the liability, this provides a real solution.

Clarifying Who Can Be Considered A “Third Party Representative” For Suing

- This ensures that the person or organization bringing the lawsuit forward has a direct connection to the employee, decreasing the potential for frivolous litigation.

Removing Penalty Wages

- Penalty wages are inappropriate when there is no requirement that the owner or contractor knew that the employees were not getting paid. Penalties are intended for bad actors.

Ensuring Existing Business To Business Contracts Are Not Invalidated

- In its current form, Senate Bill 426B would invalidate many existing business to business contracts. Our Minority Report ensures employees cannot be required to waive liability for a contractor but allows existing standard contracts between businesses to stand.

From The Desk Of Representative Lucetta Elmer

