

SENATE AMENDMENTS TO SENATE BILL 968

By COMMITTEE ON LABOR AND BUSINESS

April 17

1 On page 1 of the printed bill, line 2, after “and” delete the rest of the line and delete line 3 and
2 insert “repealing ORS 292.063.”.

3 Delete lines 5 through 28 and delete pages 2 and 3 and insert:

4 **“SECTION 1. (1) As used in this section, ‘public employee’ and ‘public employer’ have the**
5 **meanings given those terms under ORS 243.650.**

6 **“(2) When a public employee receives an erroneous overpayment of wages in an amount**
7 **greater than the employee’s entitlement, the public employer may deduct the amount of the**
8 **overpayment from wages earned by the public employee provided that:**

9 **“(a) The deduction is for an overpayment that occurred during the 364-day period im-**
10 **mediately preceding the date on which the public employer provides to the public employee**
11 **the written statements described under paragraph (b) of this subsection; and**

12 **“(b) The public employer provides the following to the public employee at least 10 calen-**
13 **dar days before making the deduction:**

14 **“(A) A written statement itemizing the overpayment amount and purpose of each de-**
15 **duction;**

16 **“(B) A written statement that provides that in no event may the total amount of a de-**
17 **duction exceed five percent of the public employee’s gross pay each pay period, unless the**
18 **public employee otherwise requests and specifies that a greater percentage or amount be**
19 **deducted; and**

20 **“(C) A written statement informing the public employee that, if the public employee is**
21 **terminated or otherwise separates from employment, the public employer can recoup the**
22 **balance owed from the public employee’s final paycheck.**

23 **“SECTION 2. ORS 292.063 is repealed.”.**
24 _____