

HB 2800-1  
(LC 390)  
1/31/25 (ASD/ps)

Requested by HOUSE COMMITTEE ON LABOR AND WORKPLACE STANDARDS (at the request of Department of Consumer and Business Services)

**PROPOSED AMENDMENTS TO  
HOUSE BILL 2800**

1 On page 1 of the printed bill, delete lines 8 through 28.

2 On page 2, delete lines 1 through 14 and insert:

3 **“SECTION 2. As used in ORS 656.018, 656.403, 656.702, 656.850, 656.855**  
4 **and 737.270 and this section:**

5 **“(1) ‘Coemploy’ means for a PEO to assume certain employment**  
6 **responsibilities for a worker as allocated under an agreement with the**  
7 **PEO’s client for whom the worker performs services.**

8 **“(2) ‘Coemployee’ means a worker coemployed by a PEO and the**  
9 **PEO’s client.**

10 **“(3) ‘Direct hire employee’ means a worker employed by a client**  
11 **who is not coemployed by a PEO.**

12 **“(4) ‘Multiple coordinated policy basis’ means an arrangement un-**  
13 **der which a separate policy for workers’ compensation coverage is is-**  
14 **sued to or on behalf of each client or group of affiliated clients of a**  
15 **PEO, which coordinates the premium obligations and stated policy**  
16 **communications with respect to the policy.**

17 **“(5)(a) ‘Professional employer organization’ or ‘PEO’ means a per-**  
18 **son that assumes certain employment responsibilities as allocated un-**  
19 **der an agreement for some or all of a client employer’s workers,**  
20 **regardless of the terminology the parties use to describe the relation-**  
21 **ship.**

1       **“(b) ‘Professional employer organization’ or ‘PEO’ does not mean**  
2 **a person that solely provides workers to a client on a temporary basis.**

3       **“(6) ‘Temporary basis’ means providing workers to a client:**

4       **“(a) For special situations, including but not limited to employee**  
5 **absences, employee leaves, professional skill shortages, seasonal**  
6 **workloads and special assignments and projects with the expectation**  
7 **that the position will be terminated when the special situation ends.**

8       **“(b) As probationary new hires with a reasonable expectation of**  
9 **transitioning to permanent employment with the client, if the client**  
10 **uses a preestablished probationary period in its overall employment**  
11 **selection program.**

12       **“(7) ‘Temporary service provider’ means a person that:**

13       **“(a) Regardless of the terminology the parties use to describe the**  
14 **relationship, enters into contracts with clients under which:**

15       **“(A) The person provides workers to the client on a temporary ba-**  
16 **sis;**

17       **“(B) The worker’s contract of employment is with the person rather**  
18 **than the person’s client; and**

19       **“(C) The person retains all employment responsibilities for the**  
20 **worker, except to the extent necessary to allow the person’s client to**  
21 **direct and control the services provided by the worker for the client;**  
22 **and**

23       **“(b) Customarily attempts to reassign the person’s workers to other**  
24 **clients when the workers finish each assignment, except for workers**  
25 **provided as described in subsection (6)(b) of this section.”.**

26       On page 4, line 3, after “client” insert “, the director”.

27       After line 33, insert:

28       “(d) If the client is a limited liability company, notice may be given to  
29 any manager.

30       “(e) If the client is a member-managed limited liability company, notice

1 may be given to any member.”.

2 On page 27, line 31, delete “January” and insert “July”.

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