



Good morning Chair Taylor, Vice-chair Bonham and members of the committee on Labor and Business,

My name is Odalis Aguilar Aguilar and I am a political coordinator with Oregon AFSCME. Our union represents over 39,000 workers across the state in both public and private sectors and we believe in economic and social justice for all Oregon workers and their families.

Today, I stand in opposition to SB 397 which would be detrimental to workers.

There is a very clear Oregon District Court Decision that was updated in 2022 that further clarified that employers must pay employees based on their actual time worked without rounding- this bill would reverse that division. Oregon's Bureau of Labor and Industries notes on their website that, "while the U.S. Department Of Labor allows a more permissive "rounding" approach under the Fair Labor Standards Act, Oregon requires that employees be paid for all hours worked." We believe the ruling ensures workers get paid for the time they are owed.

This same sentiment can be found in the court's documents, BOLI was also asked to provide a statement and they again note that, "We cannot over-stress the importance of the employee still being paid for all hours worked."¹

We've seen this argument take place in court and applaud the courts for underpinning Oregon's protections as stronger than federal law on the full accuracy of paying workers for their actual time worked. We ask that you too continue to enforce this policy and ensure workers rights to accurate pay remain protected.

Thank you for your time.

Odalis Aguilar Aguilar
Political Coordinator
Oregon AFSCME

¹ Eisele v. Home Depot U.S.A., Inc., 643 F. Supp. 3d 1166, 1171 (D. Or. 2022)