

Secretary of State
NOTICE OF PROPOSED RULEMAKING*
A Statement of Need and Fiscal Impact accompanies this form.

Bureau of Labor and Industries, Wage and Hour Division	839-001
Agency and Division	Administrative Rules Chapter Number

Marcia Ohlemiller, Bureau of Labor and Industries, 800 NE Oregon, Suite 1045, Portland, OR, 97232, (971) 673-0784	
Rules Coordinator	Address Telephone

RULE CAPTION

Amends rules regulating wage claim enforcement and civil penalties

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing

ADOPT: OAR 839-001-0495 and 839-001-0496

AMEND: OAR 839-001-0150; 839-001-0153; 839-001-0157; 839-001-0160; 839-001-0450; 839-001-0740; and 839-001-0760

Stat. Auth.: ORS 651.060(4); 652.165; 652.900

Other Auth.: House Bills 2254, 2256, and 2674 (2007 Legislature)

Stats. Implemented: ORS 652.010 – 652.900

RULE SUMMARY

The proposed rule amendments and new rules implement new civil penalty provisions enacted in House Bills 2254, 2256 and 2674 (2007 Legislature) effective January 1, 2008. These bills provide new civil penalty authority in ORS 652.900 for an employer's failure to timely provide an employee access to the employee's personnel records as required; failure to comply with established requirements for methods of paying wages pursuant to ORS 652.100; and failure to timely pay amounts deducted from an employee's wages to the appropriate recipient as required.

The agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

November 26, 2007

Last Day for Public Comment (Last day to submit written comments to the Rules Coordinator)



Dan Gardner

10/5/07

Signature

Printed name

Date

*Rulemaking Notices published in the Oregon Bulletin must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, upon which the deadline is 5:00 pm the preceding workday. A public rulemaking hearing may be requested in writing by 10 or more people, or by an association with 10 or more members, within 21 days following the publication of the Rulemaking Notice in the Oregon Bulletin or 28 days from the date Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.

ARC 923-2005