

## **MINUTES OF MEETING**

### **Wage and Hour Commission**

Thursday, January 17, 2008, 2:00 PM  
Portland State Office Building  
800 NE Oregon Street  
Portland, Oregon 97232

#### **1. CALL TO ORDER**

The meeting was called to order via telephone conference call at 2:05 PM.

#### **2. ROLL CALL**

##### Members Present:

John Fyre (via telephone)  
Kathy Nishimoto (via telephone)

##### Members Absent:

Jeff McDonald, Chair

##### Staff Present:

Christie Hammond, Administrator, Wage and Hour Division (WHD)  
Kim Waite, Operations Support Manager, WHD  
Karen Gernhart, Administrative Specialist, Child Labor Unit, WHD

#### **3. FOR THE GOOD OF THE ORDER:**

##### a. Election of Chairperson for 2008

John Fyre accepted Kathy Nishimoto's nomination to chair the commission in 2008.

##### b. Consent Agenda

The minutes of the previous meeting of October 18, 2007 were unanimously approved as presented.

Staff summarized the temporary actions taken by staff since the commission's last meeting, which were unanimously approved.

##### c. Correspondence

Staff reported that letters were sent to eleven employers who were issued special overtime permits to employ minors in agriculture in 2007 and failed to timely return the

reports required as a condition of being issued the permit at least two times. The letters advised the employers that the commission will not issue permits in the future to employers who have failed to timely return required reports after three times.

Christie Hammond advised the commissioners that several of the employers who had already failed to file three or more reports contacted her asking whether or not they were eligible to apply for overtime permits this year.

Action: After discussion, Commissioners Fyre and Nishimoto agreed to adopt a “three strikes” policy whereby employers who fail to timely return their required reports three times would be denied a special overtime permit the following year, starting with the 2007 reports. Staff was directed to send letters to any and all employers who fail to timely return their reports this year, advising of the “three strikes” policy.

#### **4. REPORTS**

##### a. Child Labor Unit Statistics

Staff reported that the Child Labor Unit issued a total of 855 annual Employment Certificates (“EC’s”) in October, November and December, 2007. The total number of EC’s issued fiscal year-to-date (July 1 – December 31, 2007) is 2,338; 99% of the total number of EC’s issued during the same period last year (2,360).

##### b. Workers’ Compensation Injury Report

Staff reported that the August, September and October, 2007 Workers’ Compensation Division injury reports of “Claimants Under 18 Years of Age” had been reviewed since the last meeting. No serious injuries were reported, however, staff followed up with 32 employers who did not have employment certificates and 10 incidents were assigned to compliance specialists for investigation.

Action: Commissioner Nishimoto expressed concern about the number of employers who seemed unaware of the requirement to file employment certificate applications before employing minors and suggested some additional outreach to employers may be helpful.

##### c. Significant Cases

None.

**5. OLD BUSINESS**

None.

**6. NEW BUSINESS**

None.

**7. OTHER**

None.

**8. NEXT MEETING** – April 18, 2008

**9. ADJOURNMENT**

The meeting adjourned at 2:20 P.M.