

MINUTES OF MEETING

Wage and Hour Commission

Thursday, April 20, 2006, 11:00 AM
Portland State Office Building
800 NE Oregon Street, Room 1045
Portland, Oregon 97232

1. CALL TO ORDER

Commission Chair John Fyre called the meeting to order at 11:20 AM.

2. ROLL CALL

Members Present:

John Fyre, Chair
Jeff McDonald (via phone)

Members Absent:

Kathy Nishimoto

Staff Present:

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

3. FOR THE GOOD OF THE ORDER:

a. Consent Agenda

The minutes of the previous meeting of January 19, 2006 were unanimously approved as presented.

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

b. Correspondence

Staff reported that as directed by the commission, a letter had been sent to Deanne Ford of Imaginize Video Productions on January 30, 2006 regarding the proposed employment of Ms. Ford's son, Michael, age 3. The letter indicated that as a condition of approving the requested employment permit for Michael, additional information would be required to be reported to the commission pertaining to the dates and hours of work and duties performed by Michael. Staff reported that Ms. Ford responded in a letter dated March 13, 2006, withdrawing the employment application.

Staff also reported that Special Overtime Permit Applications were mailed to 44 agricultural employers on March 14, 2006.

4. REPORTS

a. Child Labor Unit Statistics

Staff reported that the Child Labor Unit issued a total of 975 annual Employment Certificates (“EC’s”) during the months of January, February, and March, 2006, and that fiscal year-to-date (July, 2005 – March, 2006), the unit had issued a total of 3370 EC’s; 94% of the total number of EC’s issued during this same period last year (3568).

b. Workers’ Compensation Injury Report

Staff reported that the December, 2005, and January and February, 2006 Workers’ Compensation Division injury reports of “Claimants Under 18 Years of Age” had been reviewed since the last meeting. No significant cases were identified.

5. OLD BUSINESS

6. NEW BUSINESS

a. Proposed Child Labor Rule Amendments

Staff advised the commission members that as approved at the commission’s January meeting, a notice of proposed rule amendments was filed on behalf of the commission on February 13, 2006. The proposed rules update a reference to the federal child labor hazardous occupations (pertaining to prohibited employment for minors under 18) in OAR 839-021-0104 and conform OAR 839-021-0102 (pertaining to prohibited employment for minors under 16) to revised federal restrictions relating to cooking occupations.

A Notice of Proposed Rulemaking was published in the Secretary of State’s March 1, 2006 Bulletin, which indicated that the last day for the submission of public comments was April 5, 2006. No public comments were received.

Staff recommended that the Wage and Hour Commission take action to adopt the proposed amendments to OAR 839-021-0102 and 839-021-0104.

Action: The commission members unanimously agreed to adopt the proposed amendments.

7. NEXT MEETING DATE

The commission's next meeting was scheduled for Thursday, July 20, 2006 at 11:00 AM. The October 19, 2006 meeting date previously scheduled was re-scheduled for October 26, 2006.

8. ADJOURNMENT

Chair John Fyre adjourned the meeting at approximately 11:30 PM.