

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

**FILED**  
8-23-16 1:39 PM  
ARCHIVES DIVISION  
SECRETARY OF STATE

Bureau of Labor and Industries  
Agency and Division  
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839  
Administrative Rules Chapter Number  
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**RULE CAPTION**

Update and clarify division 7 rules relating to Oregon sick time.

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

**RULEMAKING ACTION**

Secure approval of rule numbers with the Administrative Rules Unit prior to filing

**ADOPT:**

839-007-0008 and other division 7 rules as needed.

**AMEND:**

839-007-0000, 0005, 0007, 0010, 0012, 0015, 0020, 0025, 0030, 032, 0035, 0040, 0045, 0050, 0055, 0060, 0065, 0100, 0120 and other division 7 rules as needed.

**REPEAL:**

**RENUMBER:** Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

**AMEND AND RENUMBER:** Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

**Statutory Authority:**

ORS 653.656

**Other Authority:**

**Statutes Implemented:**

ORS 653.601 to 653.661

**RULE SUMMARY**

Add "employee" definitions. Clarify "regular rate of pay" in definitions. Update jointly employed employees rule. New rule explaining restoration of sick time. Clarify employer obligations if applying undue hardship provision in law. Update all division 7 rules to reflect statutory references. Other rule changes as needed to provide clarification.

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 Notice of Proposed Rulemaking 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, the notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.

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

10-21-16 MO  
09-26-2016 5:00 p.m.                      Marcia Ohlemiller                      Marcia.L.Ohlemiller@state.or.us  
Last Day (m/d/yyyy) and Time                      Rules Coordinator Name                      Email Address  
for public comment

\*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation.