

MINUTES OF MEETING

Wage and Hour Commission

Thursday, July 19, 2007, 2:00 PM
Portland State Office Building
800 NE Oregon Street
Portland, Oregon 97232

1. CALL TO ORDER

Commission Chair Jeff McDonald called the meeting to order via telephone conference call at 2:00 PM.

2. ROLL CALL

Members Present: (via telephone)

Jeff McDonald, Chair
John Fyre
Kathy Nishimoto

Staff Present:

Christie Hammond, Administrator, Wage and Hour Division (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 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.

Action: Commission member Kathy Nishimoto expressed concern about the reference to "box makers," listed under duties being performed by minors 16/17 years of age employed by Calyx Fruit, LLC on the business' emergency overtime permit application. The members shared curiosity regarding whether this work was done by hand or using power-driven machinery. Staff agreed to look into this matter further and report back to the commission.

b. Correspondence

Staff reported that letters and Special Overtime Permit Applications for Minors Employed in Agriculture were sent to 47 agricultural employers on March 7, 2007. Staff also reported that 45 overtime permits for the 2007 harvest season had been issued to date.

4. REPORTS

a. Child Labor Unit Statistics

Staff reported that the Child Labor Unit issued a total of 5,223 annual Employment Certificates (“EC’s”) during fiscal year 2006-2007; 105% of the total number of EC’s issued the previous fiscal year (4,990).

b. Workers’ Compensation Injury Report

Staff reported that the November, 2006 through May, 2007 Workers’ Compensation Division injury reports of “Claimants Under 18 Years of Age” had been reviewed since the last meeting and no significant matters of concern were identified.

c. Significant Cases

Christie Hammond reported that the bureau has assessed civil penalties totaling \$9,000 against Kurt E. Freitag for violations of the child labor laws, including employing minors without obtaining a validated employment certificate, and employing minors to perform prohibited work. Ms. Hammond pointed out to the commission members that the commission has the authority to initiate action to revoke Freitag’s right to employ minors in the future, but said that the agency was not recommending that the commission do so at this time. Ms. Hammond indicated that such a recommendation might be made to the commission in the future, should Mr. Freitag be found to have committed additional child labor law violations.

Staff also reported the fatality of a 16 year-old minor who was killed while driving a wheat truck on a family farm in eastern Oregon. Staff advised the commission members that there were no apparent violations of the child labor laws, and that OR-OSHA would be looking into the matter.

d. Proposed Federal Child Labor Regulation Changes

Staff reported on proposed changes to the federal child labor regulations.

5. OLD BUSINESS

None.

6. NEW BUSINESS

None.

7. OTHER

None.

8. NEXT MEETING – October 18, 2007

9. ADJOURNMENT

The meeting adjourned at 2:40 P.M.