



## Rights of Workers

### **Labor Contractor Law**

There are laws in Oregon which regulate the activities of construction, janitorial, and farm and forest labor contractors. Under these laws, contractors are required to:

1. Have a license and show it to persons with whom he or she contracts.
2. Give to each worker the contractor hires, recruits, solicits or supplies, a written agreement which describes the terms and conditions of employment. This form must be written in English and in any other language used to communicate with workers.
3. Give to each worker a written form which describes the rights of employees. This form must be in English and in any other language used to communicate with workers.
4. Post a notice in a conspicuous place which says the contractor has the required bond or deposit. This notice must state that if the contractor owes wages to a worker and does not pay, the worker may make a claim against the bond or deposit.

Each worker has the right to take legal action against a contractor if that contractor violates certain laws regulating the contractor's activities. For information about your right to take legal action, call any office of the Bureau of Labor and Industries (see listing of offices on next page).

### **The Minimum Wage**

Labor contractors are required to pay their employees (except certain agricultural hand harvest laborers and a few others) no less than the applicable minimum wage for all hours worked, regardless of the method used to compute wages. These laws do not apply to all workers. If you have questions, contact any office of the Bureau of Labor and Industries or visit [www.oregon.gov/BOLI](http://www.oregon.gov/BOLI) for more information.

### **Rest and Meal Periods**

Most employees (including agricultural employees) in Oregon must receive rest breaks and meal periods. Employers must provide workers with a paid, uninterrupted 10-minute rest break for every four-hour segment or major portion thereof in the work period. Employers must provide employees with at least a 30-minute unpaid meal period when the work period is six hours or greater. There are some exceptions and special rules apply to minor employees. For more information, contact any office of the Bureau of Labor and Industries.

### **Wage Claims**

If an employer owes wages to a worker and does not pay, the worker may file a claim for back wages. In order to file a claim, contact any office of the Bureau of Labor and Industries. It will be necessary to fill out a form and to provide other information about what you are owed.

### **Laws Prohibiting Discrimination**

Oregon and federal civil rights laws forbid an employer or landlord to discriminate against a worker or tenant because of race, color, sex, national origin, or religion. An employer may not discriminate against a worker who has been injured on the job. Civil rights laws protect workers from additional kinds of discrimination and also give workers certain rights. For more information, call the Civil Rights Division of any office of the Oregon Bureau of Labor and Industries.

### **Union Rights**

Most employees in the private sector have the right to engage in group action to improve wages, benefits, and working conditions and to engage in union activities and support a union. For information, contact a union or the National Labor Relations Board at 503-326-3085 or [www.nlr.gov](http://www.nlr.gov).

### **On-the-Job Accidents**

Your employer is required to maintain an insurance policy which covers on-the-job accidents. Your employer should post a notice which provides information about this insurance. The insurance company will pay the cost of medical treatment. It will also pay wages to the worker if he or she is unable to work because of the accident. The employer is required to have a form which is used to notify the insurance company of the accident. Get one of



these forms from your employer, fill it out and return it to him or her. He or she will send it to the insurance company. If you do not have a form or cannot get one from your employer, call the **Workers Compensation Department** at 1-800-452-0288 to obtain one.

**Field Sanitation & Housing**

Labor contractors that employ workers must comply with the provisions of ORS 654.174 relating to field sanitation, including the provision of clean and sanitary toilet facilities; handwashing facilities with clean water, soap or other suitable cleansing agent, paper towels and a method for disposal of used towels and wash water; and clean, potable drinking water served in a sanitary manner. Labor contractors must keep conspicuously posted a notice describing these requirements and advising workers where complaints may be filed. The notice must be in the English language and in the language spoken by most of the employees.

Labor contractors that own or control housing furnished to workers in connection with recruitment or employment must ensure that the housing substantially complies with any applicable law relating to the health, safety, or habitability of the housing. Contact **Oregon OSHA** at 1-800-922-2689 or visit [www.osha.oregon.gov](http://www.osha.oregon.gov).

**Protected time off to care for yourself or your family**

Federal, state and local laws protect your right to take time off work when you, your child, or family members have a qualifying mental or physical illness, injury or health condition; to care for a new baby, newly adopted child or newly placed foster child; after the death of a family member; when you or your child have experienced domestic violence, sexual assault, harassment or stalking; and in other circumstances. Certain limitations apply.

All employers must allow employees to earn and use up to 40 hours of protected sick time each year. An employee may not be disciplined or terminated for taking protected sick time. In addition, employers with 10 or more employees (at least 6 for employers located in Portland) in Oregon must provide this sick time as paid leave. For more information, contact BOLI at 971-245-3844 or visit [www.oregon.gov/BOLI](http://www.oregon.gov/BOLI) for more information.

**Federal Government Contracts**

If you are working under a federal government contract, the contractor for whom you work must pay you no less than the applicable minimum wage, except when a higher rate has been established. The contractor must post a notice in a conspicuous place which gives the minimum wage or the higher wage if it has been established.

There are other rights for employees that work under federal contracts. For information, call the Federal Department of Labor. The telephone number is (503) 326-3057, or write: U.S. Department of Labor, Wage & Hour Division, 620 SW Main, Room 423, Portland OR 97205.

**Unemployment Benefits**

Oregon law provides benefits to persons who work, lose their jobs and are not able to find another one. These unemployed persons may receive payments from the State of Oregon for a limited amount of time while looking for a job. This law is complicated and is not detailed here. It is sufficient to say that some agricultural and forest workers have certain rights. If you can look for work, you may qualify for these benefits. Check with an office of the **Oregon Employment Department** at 1-800-237-3710.

**Bureau of Labor and Industries**

**Eugene**  
1400 Executive Parkway, Suite 200  
Eugene, OR 97401  
(971) 245-3844

**Portland**  
1800 SW 1<sup>st</sup> Ave, Suite 500  
Portland, OR 97201  
(971) 245-3844

**Salem**  
3865 Wolverine St. NE, Bldg. E-1  
Salem, OR 97305  
(971) 353-2305

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Employee Signature

\_\_\_\_\_  
Date Received

\_\_\_\_\_  
Printed Name