

Legislative Summary Report

Labor & Employment



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This Legislative Summary Report highlights Labor and Employment policy measures that received a public hearing in a policy committee during the **2024** regular legislative session. The report is organized by subtopics and includes the measure number; the measure status: enacted [✓] or not enacted [✗]; and a brief description of the measure.

Labor & Employment Subtopics:

- [Apprenticeship and On-the-Job Training](#)
- [Collective Bargaining](#)
- [Construction and Building Codes](#)
- [Employment Protections](#)
- [Leave Laws](#)
- [Unemployment Insurance](#)
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- [Working Conditions and Workplace Safety](#)

Apprenticeship and On-the-Job Training

- [HB 4118](#) ✗ The measure would have required the Bureau of Labor and Industries (BOLI) to study youth apprenticeship programs in the United States and submit an initial report to the Legislative Assembly. It would have directed BOLI to utilize the study's findings to identify best practices for registered youth apprenticeship programs and to assess the feasibility of establishing a statewide framework for youth apprenticeship.

Collective Bargaining

- [HB 4080](#) ✓ The measure creates state policy that supports bringing groups together to engage in the offshore wind development process. The measure directs the Department of Land Conservation and Development to review plans for offshore wind projects and sets labor and building standards for offshore wind energy projects.

Note: The measure is also included in the Legislative Summary Report on Energy and Environment.

- HB 4115 ✓ The measure clarifies who is and is not a supervisory employee for labor representation and collective bargaining for certain personnel employed at correctional institutions, mental hospitals, law enforcement, emergency communications, and the Criminal Justice Division of the Oregon Department of Justice.

Construction and Building Codes

- SB 1568 ✓ The measure specifies that the applicable locality, when determining the prevailing rate of wage for electrical workers, is the geographical area within which each local union is the exclusive representative for its membership, and the applicable collective bargaining agreement is the collective bargaining agreement to which the local union is a party.
- HB 4006 ✓ The measure requires contracting agencies to accept surety bonds in lieu of retainage for large commercial or public improvement contracts. It also requires a contractor to accept a surety bond from a subcontractor or supplier from whom the contractor has withheld retainage when a contracting agency has accepted a surety bond in lieu of retainage from a contractor.
- Note:** The measure is also included in the Legislative Summary Report on General Government and Elections.

Employment Protections

- SB 1510 ✓ The measure authorizes the Department of the State Fire Marshal to require fingerprints of employees, applicants for employment, contractors, subcontractors, vendors, and volunteers for criminal background checks.
- Note:** The measure is also included in the Legislative Summary Report on Natural Resources.
- HB 4122 ✓ The measure replaces Oregon's voluntary individual fingerprint retention background check program with an agency-based record of arrest and prosecution background program, also known as "rap back." The measure establishes a new Rap Back program administered by the Department of State Police and integrated with the federal rap back system, allowing authorized state and local government agencies to subscribe to it and requiring employees or licensees of those agencies who are subject to fingerprint-based background checks to enroll in the program for the duration of their employment or licensure with the agency.



Leave Laws

- SB 1514** ✓ The measure requires the director of the Oregon Employment Department to conduct periodic assessments of the Paid Family and Medical Leave Insurance Fund to assess its solvency. It also specifies actions the Department may take to address the solvency of the Fund should it lack the necessary resources to cover six months of anticipated costs.
- SB 1515** ✓ The measure makes several technical fixes to Paid Leave Oregon. It also addresses the administration and reporting of Paid Leave Oregon, the Oregon Family Leave Act (OFLA), and other protected leave provisions. The measure works to establish concurrency and alignment of OFLA and Paid Leave Oregon. The measure creates a two-week temporary leave type within OFLA for leave needed to effectuate the legal process required for placing a foster child or adopting a child.

Unemployment Insurance

- HB 4005** ✗ The measure would have clarified, for purposes of Unemployment Insurance (UI) and Paid Leave Oregon, that for any hour of work, an individual is only considered to be employed solely by employing unit for which the individual performs services and that has the right to direct and control the individual's performance of services. It also specified that an individual may not be employed by more than one employing unit. The measure would have required the Director of the Oregon Employment Department to issue refund to paying entity that paid employer contribution amounts on behalf of employer with respect to employees for hours of work in which employees did not perform services for paying entity.

Wages and Benefits

- SB 1568** ✓ The measure specifies that the applicable locality, when determining the prevailing rate of wage for electrical workers, is the geographical area within which each local union is the exclusive representative for the local union's membership, and the applicable collective bargaining agreement is the collective bargaining agreement to which the local union is a party.
- HB 4050** ✗ The measure would have added to the list of factors that an employer may use to legally pay employees who perform work of comparable character at different compensation levels.



Workers' Compensation

SB 1580



The measure provides that an employer commits a Class A misdemeanor crime if, with the intent to decrease the employer's premium for coverage as required by Oregon's workers' compensation laws, knowingly submits a false payroll report to the Workers' Compensation Board, the Workers' Compensation Board chairperson, the Director of the Department of Consumer and Business Services, the corporation, or an insurer.

Note: The measure is also included in the Legislative Summary Report on Criminal Justice.

SB 1584



The measure would have removed two reasons a worker may refuse an offer of modified employment without terminating temporary total disability benefits under Oregon's workers' compensation laws.

Working Conditions and Workplace Safety

HB 4004



The measure allows the Bureau of Labor and Industries (BOLI) to impose a civil penalty of up to \$10,000 for child labor law violations, even when a penalty is paid to the U.S. Department of Labor. The measure also states that BOLI does not need to give a refund for penalties already paid in a federal case.

HB 4127



The measure requires an employer of warehouse workers to provide information to employees of any quota to which the employee is subject in the language that the employer regularly uses to communicate with the employee. It stipulates that the employer may not take adverse employment action against an employee for failure to meet a quota for which the employee did not receive written documentation. The measure establishes the right of an employee to request records if they are disciplined for failure to meet a quota and requires the employer to provide such records free of charge.

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