

## HB 3137: Wage theft – False Time Cards

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Oregon laws promise that most workers who work more than forty hours a week are entitled to overtime pay. However, the ability of the state to make good on that promise to some of its workers has been hindered by a deceptive employment practice where workers are coerced into signing falsified time cards in order to deny them their hard earned pay.

Though the economy is improving, we are all aware that workers continue to face steep economic challenges. Many businesses are, understandably, doing what they can to keep costs down and business running. This often means doing more with fewer employees. As a result, the workload for many workers is higher, and sometimes may involve working additional hours to finish projects or assignments.

Some employers, however, have taken advantage of this situation to get more work out of their employees without paying them overtime. A situation such as this was recently brought to my attention. An employee had worked many overtime hours for their employer over the course of the pay period. When they went to fill out their time card, however, the employer required it to be written in such a way that the employee was not paid overtime. The time card was filled out at the place of business and the employee was not given a copy of it. The same was required of other employees, too, who worked there.

Oregon has wage theft laws that are normally meant to provide workers protection in these types of situations. However, in this particular case, the worker was not given a copy of their time card, and lacked documentation required to prove “wage theft.” So employees forced to sign these falsified time cards may be left with no remedy when they are denied the overtime they have earned. Employees lacked good evidence to show a discrepancy between hours they worked and how they were paid.

Workers subjected to this kind of practice are working long hours to support their family; they’re exploited as they struggle to make ends meet. The employee experiences the *direct* harm of this practice. There’s an *indirect* adverse impact, as well. Responsible business owners that pay their workers fair wages and proper overtime pay face unfair competition from businesses falsifying time cards.

House Bill 3137 is drafted to solve this one problem. The bill makes it an unlawful employment practice to induce an employee to sign documents containing false information related to hours worked or compensation received, and it protects workers from retribution for reporting such practices.

This bill will ensure Oregon’s workers are paid the compensation they deserve and promote fair and equitable economic growth in the state.

Thank you to BOLI and Northwest Workers Justice Project for their assistance in understanding the issue and crafting a solution.

Thank you for hearing the bill.