



SENATE MAJORITY OFFICE

Oregon State Legislature
State Capitol
Salem, OR

NEWS RELEASE

June 22, 2017

CONTACT: Rick Osborn (503) 986-1074
Rick.osborn@oregonlegislature.gov

Oregon starts down the trail to becoming first state in nation to implement a ‘Fair Work Week’ law

SB 828: Bipartisan legislation is result of collaboration between business and labor

SALEM – Oregon could become the first state in the nation to implement a “Fair Work Week” law, providing employees with predictability regarding when they will be required to work.

The bipartisan Senate Bill 828 – which was carried by Sen. Kathleen Taylor (D-Portland) and Sen. Tim Knopp (R-Bend) to passage on the Senate floor – establishes employee work scheduling standards for certain employers with 500 or more employees worldwide in the retail, hospitality or food service industries.

“This is an extraordinary piece of bipartisan legislation on an issue that started out extremely contentious,” said Taylor, who chairs the Senate Workforce Committee. “We were able to bring the right players to the table representing employers and employees to put together some workable legislation that will be meaningful for thousands of Oregon’s workers. Knowing your schedule in advance is an important change for these workers. It means employees can plan their lives, like childcare and medical appointments, and have a better idea of the income they can expect to earn.”

If the bill passes the House of Representatives and is signed by the Governor, Oregon will join some municipal governments – including Seattle, New York and San Francisco – in establishing these policies, but will be the first with a statewide law on the matter. It is the product of numerous discussions between business and labor that began as a fairly contentious conversation that seemed to be at a roadblock. The groups came back together and hammered out a workable solution.

“This will give workers – many of whom may be making low wages and in vulnerable situations – some stability to know when to schedule childcare, second jobs, college classes and other aspects of everyday life that are critical to the wellbeing of themselves and their families,” said Sen. Michael Dembrow (D-Portland), who has done tireless work on this issue. “This was a true compromise, in that it was right on the edge. If there had been one more concession either way, the whole concept easily could have been off the table.”

The bill requires that qualifying employers give written estimate of work schedule seven days before the first day of that week’s work. That timeline takes effect in 2018, and in 2020 the advance notice must be provided 14 days prior. It also establishes that employees have a right to rest between shifts, requiring that any employee that has fewer than 10 hours between separate shifts receive extra compensation. It also gives employees the right to turn down unscheduled shifts, and employers to maintain a standby list of employees who are willing to be called in to work on short notice.

On the Republican side of the aisle, Knopp, who serves as vice chair of the Senate Workforce Committee, played a key role in creating the kind of compromise that is fair to both businesses and the workforce they depend upon.

Some business representatives agreed all along that a Fair Work Week is the right way to go. New Seasons Market Director of Social Responsibility Sarah Joannides provided written testimony to the Senate Committee on Workforce during the process. Joannides testified that New Seasons already has a policy of providing schedules two weeks in advance, working employees no more than five days in a row and scheduling at least 12 hours of rest between shifts.

“We know from firsthand experience that when workers have fair and predictable scheduling, families thrive and businesses succeed,” Joannides wrote to the committee. “First and foremost, we deeply value our staff and their countless contributions to our business. We believe they deserve predictable, regular schedules so they can care for their families, spend time with loved ones, take care of business at home and rest and recover for their next day of work. We also know that these policies have benefits beyond our employees’ lives. New Seasons’ experience shows that when retail employees have predictability, they are more engaged, more productive and more likely to stay.”

Senate Bill 828 now goes to the House of Representatives for consideration.

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