



OREGON

EMPLOYEE WORK SCHEDULES LAW

(Applicable in Retail, Hospitality and Food Services Establishments Effective July 1, 2018)

WHO IS COVERED

Employees of retail, hospitality or food services establishments that employ 500 or more employees worldwide who are primarily engaged in providing retail, hospitality or food services are covered. Employees whose primary duties do not relate to retail, hospitality or food service operations; salaried employees who are exempt from minimum wage and workers supplied by worker leasing companies or businesses that provide services to or on behalf of an employer are not covered or counted toward the 500 employee threshold.

GOOD FAITH ESTIMATES OF WORK SCHEDULES

Covered employers are required to provide written good faith estimates of employee work schedules at the time of hire that state the median number of hours the employee can expect to work in an average month and explain use of the "voluntary standby list" and whether an employee who is not on a standby list may expect to work on-call shifts, and if so, when an employee may be expected to work on-call shifts if not on the standby list.

ADVANCE NOTICE OF WORK SCHEDULES

Covered employers are required to provide employees with written work schedules at least seven calendar days (14 calendar days effective July 1, 2020) before the first day of work that runs through the last day of the posted work schedule in effect at the time of delivery. Work schedules are required to be posted in a conspicuous and accessible location.

CHANGES IN WORK SCHEDULES

If the employer requests changes to the written work schedule, the employer must provide timely notice of the change. Employees may decline any work shifts not included in the covered employer's written work schedule.

If the employer changes a written schedule without advance notice of at least seven calendar days prior to the beginning of the workweek in which the change occurs (14 calendar days effective July 1, 2020), the employer is required to pay the employee an additional hour of pay in addition to regular wages earned when: the employer adds more than 30 minutes to the work shift; changes the date or starting and stopping time with no loss of hours; or if the employer schedules the employee for an additional work shift or on-call shift.

Employees may request in writing to work additional shifts or on-call work shifts any time after the advance notice of written work schedule.

COMPENSATION FOR WORK SCHEDULE CHANGES

Employers are required to provide compensation to employees for certain employer-requested schedule changes that occur without required advance notice. (See BOLI website for more information.)

VOLUNTARY STANDBY LISTS

Employers may maintain voluntary standby lists of employees willing to work additional hours due to unanticipated customer needs or unexpected absences if employees on the list request or agree in writing and the employer provides required written information to each employee. Such employees are not entitled to be compensated for these work schedule changes.

RIGHT TO REST BETWEEN SHIFTS

Unless the employee requests or consents to work such hours, employers may not schedule or require an employee to work during the first ten hours following the end of a previous calendar day's work or on-call shift or the first ten hours following the end of a work or on-call shift that spanned two calendar days.

If an employee works during the rest periods specified above, the employer must compensate the employee for each hour or portion of an hour that the employee works at the rate of one and one-half times the employee's regular rate of pay.

RIGHT TO INPUT INTO WORK SCHEDULE

Employees may identify limitations or changes in work schedule availability and request not to be scheduled for work shifts during certain times or at certain locations. Employers may not retaliate against employees for making such requests, however, employers are under no obligation to grant employees' requests unless otherwise required to do so under other applicable laws.

OTHER PROVISIONS

See BOLI website for additional information regarding notice and posting requirements, retaliation prohibitions and enforcement and penalty provisions.

For additional information, contact the Bureau of Labor and Industries:

www.oregon.gov/boli • Email: whdscreener@boli.state.or.us

Portland: 971-673-0761 Eugene: 541-686-7623

Salem: 503-378-3292 TTY: 711

Technical Assistance for Employers Program: 971-673-0824

This is a summary of the provisions of the Oregon Employee Work Schedules law. It is not a complete text of the law.

THIS INFORMATION MUST BE POSTED IN A CONSPICUOUS LOCATION