

Ballot initiative would require OT pay after 8-hours

by Bend_Weekly_News_Sources

Oregon Labor Commissioner Dan Gardner, State Rep. Diane Rosenbaum and officials with the Oregon AFL-CIO will announce their intention today to place a measure on the November 2008 ballot requiring overtime pay after eight hours of work in a single day.

The "8-Hour Day Overtime Act" would require employers in Oregon to pay overtime pay (time and a half) to certain Oregon employees after 8 hours worked in a single day. Some regularly scheduled shifts such as four, 10-hour days, or three, 12-hour days would be exempt from the requirement under the measure. It mirrors a bill, House Bill 2673, sponsored by Gardner and State Rep. Brad Witt, currently before the Oregon Legislature.

"This ballot measure is intended to promote family values here in Oregon," said chief, co-petitioner Gardner. "If an employer wants to require an Oregon worker to spend more than eight hours away from their family, then that worker should be paid a premium."

If enacted, Oregon would join the states of California, Colorado and Alaska, as well as Puerto Rico and the U.S. Virgin Islands, with such a requirement. Gardner and Rosenbaum, the measure's co-chief petitioners, said the measure is aimed particularly at workers in the retail sector who show up for work and get told their eight-hour shift has been increased.

"Oregon is a right-to-work state," noted Rosenbaum. "Right now, if an employer tells an employee they must work 14 hours in a single shift, that worker risks his or her job if they refuse. We need to remember that workers have their own family obligations such as caring for sick relatives or having children in day care from 9 to 5 and they can't work longer hours than planned."

The eight-hour work day standard was established nationally in 1938 by President Franklin Roosevelt through passage of the Fair Labor Standards Act. In 1967, Oregon adopted the eight-hour day, but in 1985 state legislators amended the law to require overtime be paid only after 40 hours in a week. The state helped establish the concept of a limited number of hours in a workday with two cases before the U.S. Supreme Court in the early 20th century which established a 10-hour workday.

“Oregon has a rich history of fighting for workers’ rights, but we took a step backward in 1985,” said Tom Chamberlain, president of the Oregon AFL-CIO. “This ballot measure would bring back fairness and equity to Oregon workers.”

The proposed ballot measure would not remove existing overtime exemptions under state law for employees such as agricultural workers, federal workers, executives and managers, taxicab operators, nurses or firefighters. In addition, the measure exempts regular schedules of more than 8 hours in a single day such as four, 10-hour days used by major manufacturers in the state or three, 12-hour shifts used by warehouse distribution centers.

The chief, co-petitioners will drop off the signatures required to request a November 2008 ballot title at the Secretary of State’s office Friday afternoon.

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