

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Bureau of Labor and Industries, Wage and Hour Division
Agency and Division

839-001
Administrative Rules Chapter Number

Amends wage claim enforcement civil penalty rules to conform to 2009 legislation enacted

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of: Rules regulating wage claim enforcement, the Wage Security Fund, and insurance notification requirements

Statutory Authority: ORS 651.060(4), 652.165, 652.900

Other Authority: HB 2595 (2009)

Stats. Implemented: ORS 652.010-652.900

Need for the Rule(s): These proposed rule amendments implement legislation (HB 2595) enacted in 2009 and conform existing rules relating to the assessment of civil penalties to this legislation. The rules also clarify conditions to be met for qualifying for payment from the Wage Security Fund, and delete obsolete references to the agency's insurance notification rules.

Documents Relied Upon, and where they are available: House Bill 2595 (2009), ORS 652.414, and ORS 743.560, available at Oregon State Legislature website or upon request from the Oregon Bureau of Labor and Industries;

Fiscal and Economic Impact: These proposed rules have no fiscal or economic impact independent of the legislation providing for the assessment of civil penalties for violations of the law.

Statement of Cost of Compliance: None.

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):
2. Cost of compliance effect on small business (ORS 183.336):
 - a. Estimate the number of small businesses and types of business and industries with small businesses subject to the rule:
 - b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:
 - c. Equipment, supplies, labor and increased administration required for compliance:

How were small businesses involved in the development of this rule? Small businesses were not involved since these rules simply conform to legislation enacted.

Administrative Rule Advisory Committee consulted?: No.

If not, why?: Because these rules simply conform to legislation enacted, it was not deemed necessary to convene or consult with an administrative rule advisory committee.



Signature

Brad Avakian
Printed name

October 12, 2009
Date

Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310. ARC 925-2007

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