

## Who's Wagging the Dog?

As we move into the fall months, we thought it would be helpful to once again provide a reality check about what really is (and isn't) the law in Oregon. See how you score on this "True-False" quiz:

*1. When an employer schedules an employee to work, the shift must last at least two hours.*

False. This has never been the law in Oregon. There used to be a law that required employers to pay an employee for at least half of the scheduled shift, if the employee were sent home early. While that still is the law for minors, the law for those employees 18 or over was repealed in 1991.

*2. When an employer schedules an employee to work, the shift must last at least four hours.*

False, for the reasons indicated above.

*3. If an employee or an employee's relative is a victim of domestic violence, Oregon employers are required to give the employee a reasonable leave of absence in order to handle the ramifications of that violence. This could include leave for medical treatment, counseling, legal proceedings, travel and moving arrangements, or other activities related to the domestic violence.*

True. This is a new law that has been in effect since August 2007. While the employer must allow the employee to use any accrued sick or vacation time, the employer is not required to pay the employee for this time.

*4. Employers are required to give employees an eight-hour break between work shifts.*

False. Although employers must give rest breaks and meal periods throughout an employee's shift, there has never been a requirement that an employer wait a certain period of time before assigning an employee to a new shift. Note: manufacturing employees have specific requirements.

*5. It is illegal for an employer to require an employee to work overtime.*

False. While employers are required to pay employees overtime for all hours worked over 40 in a workweek, there is no law that allows an employee to refuse an employer's order to do so. In the interest of workplace harmony, of course, it is best if an employer avoid that situation if possible. And if such requirements are unavoidable, it would be

helpful for the employer to alert the employees of this possibility before it actually happens.

*6. It is illegal to require an employee to work overtime without at least 24 hours notice.*

False, for the reasons indicated above.

*7. Oregon employers who have underpaid their employees must pay the rest of the wages within three business days of discovering the error.*

True. This requirement became effective on January 1, 2008. If an employee has been underpaid by 5 percent or more of the gross salary, the employer must pay the underpaid wages within 3 business days.

Join Technical Assistance for Employers at an upcoming seminar. October seminars will be held in Coos Bay, Eugene, Gold Beach, Hillsboro, Medford, Portland, and Roseburg. Visit [www.oregon.gov/BOLI/TA](http://www.oregon.gov/BOLI/TA) for more information.