

Statement of Employee Rights and Remedies

Private Security Entity Responsibilities:

There are laws in Oregon that regulate the activities of private security entities. Under these laws, private security entities are required to:

1. Have a private security entity license issued by the Department of Public Safety Standards and Training.
2. Provide professional training to private security providers employed by or contracted by the private security entity.
3. Give to each private security provider the entity hires, contracts or subcontracts, a written statement that describes the terms and conditions of employment, including the method of computing the rate of compensation.
4. Give to each private security provider the entity hires, contracts or subcontracts, a written form that describes the employee's rights and remedies under law.
5. Give to each private security provider the entity hires, contracts or subcontracts, a written statement itemizing the total compensation payment paid to the private security provider, the amount and purpose of each deduction from the total payment, hours worked, and rate of pay, each time a private security provider receives payment.
6. Provide the Department of Public Safety Standards and Training with proof of the private security entity's ability to pay wages in the form of a surety bond or cash deposit.

The list above includes some of the requirements for licensed private security entities. All of the requirements for a licensed private security entity are found in Oregon Revised Statutes (ORS) 181A.840 to 181A.918 and Oregon Administrative Rule (OAR) Chapter 259 Division 59. For questions about a private security entity license, contact the Department of Public Safety Standards and Training (DPSST) at 503-378-8531 or visit <https://www.oregon.gov/dpsst/PSEntity/pages/home.aspx>.

Each worker has the right to take legal action against a private security entity if that entity violates certain laws regulating the entity's activities. For information about your right to take legal action, contact any office of the Bureau of Labor and Industries (see listing of offices on page 5).

Private Security Providers Act (Oregon Revised Statutes 181A.840-918 and 181A.970-995):

The Department of Public Safety Standards and Training (DPSST) administers certification and licensure of private security providers and entities. The security industry is regulated to ensure the interests of the public are adequately served and protected, and to uphold the professionalism and integrity of the industry. A private security professional is an individual who performs, as the individual's primary responsibility, any one or combination of security services as defined in Oregon Administrative Rule 259-060-0010(34). If these duties are performed for consideration, the individual must be certified accordingly. The statute can be found at https://www.oregonlegislature.gov/bills_laws/ors/ors181A.html

Sample of Statement of Employee Rights and Remedies for Private Security Entity Use
(OAR 259-059-0160)
(Rev. 11/2023)

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The Minimum Wage (Oregon Revised Statutes Chapter 653):

Employers are required to pay their employees and/or contractors no less than the applicable minimum wage. These laws do not apply to all workers. If you have questions, contact any office of the Bureau of Labor and Industries, or visit www.oregon.gov/boli for more information.

Rest and Meal Periods (Oregon Revised Statutes Chapter 653):

Most employees in Oregon must receive rest breaks and meal periods. Employers must provide workers with a paid, uninterrupted 10-minute rest break for every four-hour segment or major portion thereof in the work period. Employers must provide employees with at least a 30-minute unpaid meal period when the work period is six hours or greater. There are some exceptions and special rules apply to minor employees. For more information, contact any office of the Bureau of Labor and Industries.

Wage Claims (Oregon Revised Statutes Chapter 652):

If an employer owes wages to a worker and does not pay, the worker may file a claim for back wages. To file a claim, contact any office of the Bureau of Labor and Industries. It will be necessary to fill out a form and to provide other information about what you are owed. A wage claim form can be found at <https://www.oregon.gov/boli/workers/pages/wageclaim.aspx>.

Laws Prohibiting Discrimination (Oregon Revised Statutes Chapter 659A):

Oregon and federal civil rights laws forbid an employer or landlord to discriminate against a worker or tenant because of race, color, sex, national origin, or religion. An employer may not discriminate against a worker who has been injured on the job. Civil rights laws protect workers from additional kinds of discrimination and also give workers certain rights. For more information, call the Civil Rights Division of any office of the Oregon Bureau of Labor and Industries.

Workplace Safety and Health (Oregon Revised Statutes Chapter 654):

You have the right to a safe and healthful place to work under both Oregon and federal law. If you are concerned about safety or health problems where you work, you have the right to tell your employer, discuss concerns with your co-workers, participate in related union activities, report job hazards to Oregon OSHA, and other rights. Your employer is required to display Oregon OSHA's "It's the Law!" safety and health poster at your workplace. For more information, contact Oregon OSHA at 1-800-922-2689 or visit www.osha.oregon.gov.

On-the-Job Accidents (Oregon Revised Statutes Chapter 656):

Your employer is required to maintain an insurance policy which covers on-the-job accidents. Your employer should post a notice which provides information about this insurance. The insurance company will pay the cost of medical treatment. It will also pay wages to workers who are unable to work because of an on-the-job accident. The employer is required to have a form which is used to notify the insurance company of the accident. If you have an on-the-job

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accident, then get one of these forms from your employer, fill it out, and return it to your employer, who will send it to the insurance company. If you do not have a form or cannot get one from your employer, call the Workers Compensation Department at 1-800-452-0288 to obtain one. You can also contact the Omnibus Office for Oregon workers with questions about workers compensation at <https://www.oregon.gov/dcbs/oow/pages/index.aspx>

Protected time off to care for yourself or your family (Oregon Revised Statutes Chapter 659A):

Federal, state and local laws protect your right to take time off work when you, your child, or family members have a qualifying mental or physical illness, injury or health condition; to care for a new baby, newly adopted child or newly placed foster child; after the death of a family member; when you or your child have experienced domestic violence, sexual assault, harassment or stalking; and in other circumstances. Certain limitations apply.

All employers must allow employees to earn and use up to 40 hours of protected sick time each year. An employee may not be disciplined or terminated for taking protected sick time. In addition, employers with 10 or more employees (at least 6 for employers located in Portland) in Oregon must provide this sick time as paid leave. For more information, contact BOLI at 971-673-0761 or [oregon.gov/BOLI/WHD/OST](https://www.oregon.gov/BOLI/WHD/OST).

Family and Medical Leave Insurance (Oregon Revised Statutes Chapter 657B):

This chapter establishes benefit claim administration for Paid Family and Medical Leave Insurance (Paid Leave Oregon). It includes rules that provide further details on aspects of benefits, such as written notice provided by the employer to the employees, job protection, and overpayments. Section 657B.030 of the chapter discusses the use of other paid leave benefits in addition to paid family and medical leave insurance benefits. More information can be found at <https://paidleave.oregon.gov/>

Federal Government Contracts (The Service Contract Act (41 U.S.C. 351-401):

If you are working under a federal government contract, the contractor for whom you work must pay you no less than the applicable minimum wage, except when a higher rate has been established. The contractor must post a notice in a conspicuous place which gives the minimum wage or the higher wage if it has been established.

There are other rights for employees that work under federal contracts. For information, call the Federal Department of Labor. The telephone number is (503) 326-3057, or write: U.S. Department of Labor, Wage & Hour Division, 620 SW Main, Room 423, Portland OR 97205.

Union Rights (The National Labor Relations Act (29 U.S.C. 151-169):

Most employees in the private sector have the right to engage in group action to improve wages, benefits, and working conditions and to engage in union activities and support a union. For information, contact a union or the National Labor Relations Board at 503-326-3085 or www.nlr.gov.

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Unemployment Benefits (Oregon Revised Statutes Chapter 657):

Oregon law provides benefits to persons who work, lose their jobs and are not able to find another one. These unemployed people may receive payments from the State of Oregon for a limited amount of time while looking for a job. This law is complicated and is not detailed here. If you can look for work, you may qualify for these benefits. Check with the office of the Oregon Employment Department at 1-800-237-3710 or visit <https://www.oregon.gov/employ/pages/default.aspx>

Discharge of or Discrimination Against Private Security Provider (Oregon Revised Statutes 181A.914):

When an employee files a wage claim or civil rights complaint, an employer may not take any negative employment action against the employee for doing so, even if the civil rights or wage and hour complaint is unsuccessful. The employee only needs to have brought the complaint in good faith. Similarly, it is unlawful for an employer, union, or employment agency to fire, expel or otherwise discriminate against anyone because of opposition to practices forbidden by civil rights law or because of a complaint or testimony given about a possible violation of the law.

Bureau of Labor and Industries:

Eugene

1400 Executive Parkway,
Suite 200
Eugene, OR 97401
(541) 686-7623
TTY: (541) 686-7847

Portland

800 NE Oregon St.,
#1045
Portland, OR 97232-2180
(971) 673-0761
TTY: (971) 673-0766

Salem

3865 Wolverine St. NE,
Building E-1
Salem, OR 97305-1268
(503) 378-3292

Employee Signature

Date Received

Printed Name

Private Security Entity (Employer) Name