

OREGON
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OBI

In View: Employment



Regulatory Updates

U.S. Department of Labor's Proposed Overtime Rule: Five Key Takeaways

In 2016, the U.S. Department of Labor (DOL) issued a final rule increasing the standard salary level for “white collar” exemptions from \$455 per week, or \$23,660 per year, to \$913 per week, or \$47,476 per year. Shortly thereafter, the rule was struck down in federal court.

After two years of meetings, listening sessions and public comment, the DOL is back with a [new proposal](#). This time the increase in the standard salary level is less dramatic, yet still significant. Below are five key takeaways from the agency's new proposal:

1. The minimum salary required for an employee to qualify for a “white collar” exemption will increase from \$455 to \$679 per week, or from \$23,660 per year to \$35,308 per year.
2. Up to 10 percent of the new salary level may be satisfied by nondiscretionary bonuses and commissions/incentive payments paid at least on an annual basis.
3. There is no automatic adjustment to the salary level. However, DOL commits to periodically reviewing the \$679 per week threshold.
4. There are no proposed changes to the duties test.
5. The anticipated effective date is January 2020.

None of the above changes will take effect until after a 60-day public comment period and publication of a final rule. Comments may be submitted online at www.regulations.gov, in the rulemaking docket RIN 1235-AA20.

Employers who made updates to employee compensation or employee classification in 2016 are best positioned to adeptly manage the increases contemplated in this proposed rule. However, now is a good time for all employers to take a second look at their salaried, exempt staff and consider whether further changes are prudent.



Heidi Mason, Innova Legal Advisors

Heidi is contributing this column for the newsletter as part of Innova Legal Advisors partnership with OBI through the LegalPlus Program.

For more information on LegalPlus, [click here](#).

If you or your company would like to contribute content to OBI newsletters, please let us know by emailing communications@oregonbusinessindustry.com.

Oregon January Jobs Report

Oregon added 11,000 jobs in January, with six industries adding 1,000 or more jobs to kickstart 2019. This comes after the state lost 1,700 jobs in December. Read the full report from the Oregon Employment Department by [clicking here](#).

Credit or Background Checks

From our partners at [Perkins Cole](#): Reminder of Steps Employers Must Take When Requesting Credit or Background Reports

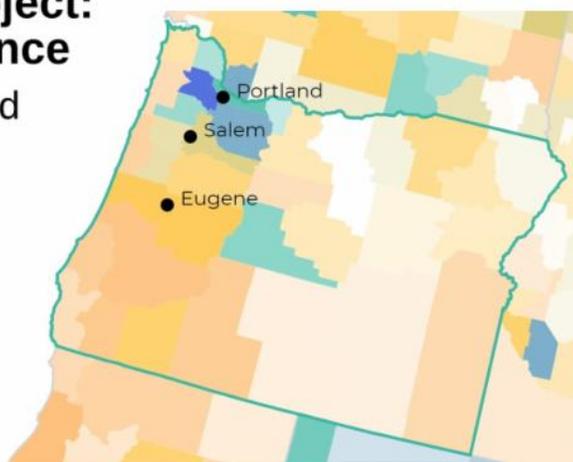
The federal Fair Credit Reporting Act requires employers to take certain steps before and after they obtain credit reports and other information for employment purposes. [Click here for an update](#) explaining the requirements, potential consequences of violations and other takeaways for employers.

Employment Prosperity: from The Hamilton Project

Employment rates, life expectancy and poverty rates all factor into how your business can best serve your community. [The Hamilton Project](#) has a new interactive map that can give you these statistics and look at counties and states across the nation. Explore the map by clicking below, or read the study, [The Geography of Prosperity](#), to learn more about The Hamilton Project's work.

The Hamilton Project: Oregon at a glance

- Median household income: \$57,700
- Poverty rate: 14.6 percent
- Unemployment rate: 6.6 percent
- Life expectancy: 79.1 years



Paid Family Leave

Several bills addressing paid family leave are making their way through the 2019 Legislature. OBI detailed [HB 3031](#), [HB 3140](#) and [SB 947](#) in this week's [Capitol Central](#). [HB 3385](#), a proposal that would be much more reasonable for employers to implement was

introduced on Tuesday.

We are [urging employers](#) to attend the hearings on paid family leave on Monday, March 25, at the State Capitol in Salem. The hearing will focus on HB 3031 and HB 3385. Public testimony will be taken at 6 p.m., when we expect proponents will pack the hearing room. The committee needs to hear from employers. If you are able, please attend the public hearing. OBI plans to testify as well.

Invited testimony also will be presented at the 8 a.m. hearing. Written comments can also be submitted at hbl.exhibits@oregonlegislature.gov.

Age Discrimination

OBI testified against [HB 2818](#), which expands the provisions of age discrimination. Paloma Sparks, OBI general counsel, informed the House Committee on Business and Labor that without dates for previous employment and education, it will be impossible for businesses to verify candidates are telling the truth on their resumes. Knowing a candidate's experience also affects employers' ability to decide pays differential. She pointed to a long list of statutes the bill could affect, saying it goes well beyond age discrimination.



Sparks also spoke with Oregon Public Broadcasting on this important topic. [Click here](#) to listen to her interview.



In the News

[OBI on Think Out Loud about Age Discrimination](#)

[New \\$30 million, 116-unit workforce housing coming to Redmond](#)

[Douglas County employment down from last year](#)

[Unemployment rate rises in Deschutes County](#)

[Local unemployment rates edge up in January](#) (Benton County)



Wholesale Fuel Pricing

OBI has partnered with MCP Petroleum to drive down OBI members' fuel cost. OBI is leveraging the collective purchasing power of our membership to get wholesale fuel pricing for our members. In addition to fuel savings, OBI members will have access to a comprehensive fuel management system that will reduce slippage, save valuable employee time and provide accountability and oversight of your company's fuel consumption.

OBI members who use 900 gallons of fuel annually through their

company are eligible for this program. Please contact [Mike Beyrouly](#) for more information.



LegalPlus Program



Did you know, by being an OBI member you can get free legal advice? OBI and Innova Legal Advisors provides members 15 minutes of legal consultation each month through the LegalPlus program. Check it out by [clicking here](#). Or contact Bob Blackmore at Innova Legal Advisors: Phone: 503-479-7175; email: Bob.Blackmore@innovalegaladvisors.com



Calendar of Events

A colorful banner for a seminar. On the left, a white box contains the text '36th ANNUAL LABOR & EMPLOYMENT SEMINAR'. To the right, the text reads 'BEST PRACTICES FOR BEST EMPLOYERS™ PORTLAND | MAY 1' and 'LANE POWELL' at the bottom right.

OBI is one of the sponsors for the 36th annual Best Practices for Best Employers labor and employment seminar put on by Lane Powell.

The event will cover important topics for employers and businesses, including drug testing, federal and state disability laws, immigration, privacy laws, employee benefits updates, new hire best practices, how to conduct an effective workplace investigation and new federal, state and local legal developments.

- When: Wednesday, May 1
- Where: The Duniway Portland

Special Discount to OBI members: As a benefit of your membership, you will receive a special discounted rate of \$50 (regular registration fee is \$110 prepaid online, or \$130 at door). To get the discounted \$50 registration rate for the seminar, register online and enter the code **OBIMEMBER** when prompted at checkout.

For more information and to register, please visit the [event website](#).

Annual Meeting & Legislative Reception - SAVE THE DATE



OREGON BUSINESS & INDUSTRY LEGISLATIVE RECEPTION

May 7, 2019
Salem Convention Center

Mark your calendars for OBI's Annual Meeting at the Salem Convention Center. We invite all our members to join us as we bring together business and civic leaders to discuss issues important to business and industry in our state. Watch for registration and more details soon.



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