

Senate Bill 408

Sponsored by Senator FERRIOLI (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Freezes minimum wage rate for agricultural workers at July 1, 2016, rate, adjusted annually for inflation.

A BILL FOR AN ACT

1 Relating to minimum wage rate for agricultural workers; amending ORS 653.025.

2 **Be It Enacted by the People of the State of Oregon:**

3 **SECTION 1.** ORS 653.025, as amended by section 1, chapter 12, Oregon Laws 2016, is amended
4 to read:

5
6 653.025. (1) Except as provided in subsections (2) and (3) of this section, ORS 652.020 and the
7 rules of the Commissioner of the Bureau of Labor and Industries issued under ORS 653.030 and
8 653.261, for each hour of work time that the employee is gainfully employed, no employer shall em-
9 ploy or agree to employ any employee at wages computed at a rate lower than:

10 (a) For calendar year 2003, \$6.90.

11 (b) From January 1, 2004, to June 30, 2016, a rate adjusted for inflation as calculated by the
12 commissioner.

13 (c) From July 1, 2016, to June 30, 2017, \$9.75.

14 (d) From July 1, 2017, to June 30, 2018, \$10.25.

15 (e) From July 1, 2018, to June 30, 2019, \$10.75.

16 (f) From July 1, 2019, to June 30, 2020, \$11.25.

17 (g) From July 1, 2020, to June 30, 2021, \$12.

18 (h) From July 1, 2021, to June 30, 2022, \$12.75.

19 (i) From July 1, 2022, to June 30, 2023, \$13.50.

20 (j) After June 30, 2023, beginning on July 1 of each year, a rate adjusted annually for inflation
21 as described in subsection (5) of this section.

22 (2) If the employer is located within the urban growth boundary of a metropolitan service dis-
23 trict organized under ORS chapter 268, except as provided by ORS 652.020 and the rules of the
24 commissioner issued under ORS 653.030 and 653.261, for each hour of work time that the employee
25 is gainfully employed, no employer shall employ or agree to employ any employee at wages computed
26 at a rate lower than:

27 (a) From July 1, 2016, to June 30, 2017, \$9.75.

28 (b) From July 1, 2017, to June 30, 2018, \$11.25.

29 (c) From July 1, 2018, to June 30, 2019, \$12.

30 (d) From July 1, 2019, to June 30, 2020, \$12.50.

31 (e) From July 1, 2020, to June 30, 2021, \$13.25.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 (f) From July 1, 2021, to June 30, 2022, \$14.

2 (g) From July 1, 2022, to June 30, 2023, \$14.75.

3 (h) After June 30, 2023, *[an employer described in this subsection shall pay an employee no less*
 4 *than]* \$1.25 per hour more than the minimum wage determined under subsection (1)(j) of this section.

5 (3) If the employer is located within a nonurban county as described in section 2, chapter 12,
 6 Oregon Laws 2016, except as provided by ORS 652.020 and the rules of the commissioner issued
 7 under ORS 653.030 and 653.261, for each hour of work time that the employee is gainfully employed,
 8 no employer shall employ or agree to employ any employee at wages computed at a rate lower than:

9 (a) From July 1, 2016, to June 30, 2017, \$9.50.

10 (b) From July 1, 2017, to June 30, 2018, \$10.

11 (c) From July 1, 2018, to June 30, 2019, \$10.50.

12 (d) From July 1, 2019, to June 30, 2020, \$11.

13 (e) From July 1, 2020, to June 30, 2021, \$11.50.

14 (f) From July 1, 2021, to June 30, 2022, \$12.

15 (g) From July 1, 2022, to June 30, 2023, \$12.50.

16 (h) After June 30, 2023, *[an employer described in this subsection shall pay an employee no less*
 17 *than]* \$1 per hour less than the minimum wage determined under subsection (1)(j) of this section.

18 (4) The commissioner shall adopt rules for determining an employer's location under subsection
 19 (2) of this section.

20 (5)(a) The Oregon minimum wage shall be adjusted for inflation as provided in paragraph (b) of
 21 this subsection.

22 (b) No later than April 30 of each year, beginning in 2023, the commissioner shall calculate an
 23 adjustment of the wage amount specified in subsection (1)(j) of this section based upon the increase,
 24 if any, from March of the preceding year to March of the year in which the calculation is made in
 25 the U.S. City Average Consumer Price Index for All Urban Consumers for All Items as prepared by
 26 the Bureau of Labor Statistics of the United States Department of Labor or its successor.

27 (c) The wage amount as adjusted under this subsection shall be rounded to the nearest five
 28 cents.

29 (d) The wage amount as adjusted under this subsection becomes effective as the new Oregon
 30 minimum wage amount, replacing the minimum wage amount specified in subsection (1)(j) of this
 31 section, on July 1 of the year in which the calculation is made.

32 **SECTION 2. (1) Notwithstanding ORS 653.025, for each hour of work time that an agri-**
 33 **cultural worker as defined in ORS 315.163 is gainfully employed, no employer shall employ**
 34 **or agree to employ the agricultural worker at wages computed at a rate lower than the rate**
 35 **in effect on July 1, 2016, for the employer's location, adjusted annually for inflation as pro-**
 36 **vided in subsection (2) of this section.**

37 **(2) No later than April 30 of each year, the Commissioner of the Bureau of Labor and**
 38 **Industries shall calculate an adjustment of the wage amount described in subsection (1) of**
 39 **this section based upon the increase, if any, from March of the preceding year to March of**
 40 **the year in which the calculation is made in the U.S. City Average Consumer Price Index**
 41 **for All Urban Consumers for All Items as prepared by the Bureau of Labor Statistics of the**
 42 **United States Department of Labor or its successor.**