



United Employers Association
Business Direction. HR Counsel.

Another Manufacturing Overtime Update!

In one of our previous e-alerts, we noted that BOLI had made a significant alteration to Oregon's manufacturing overtime law, requiring employers to pay both daily and weekly overtime. A lawsuit had prompted the change in BOLI's interpretation, and it was unclear how the ongoing suit would impact BOLI's guidance.

BOLI's website continues to counsel employers to pay **both** weekly and daily overtime. As of this publication, BOLI *also* references that recently a court decided employers need not pay both, only the greater of the two. BOLI thereafter mentions current legislation is in the works to clarify how various Oregon employers should pay overtime. Additionally, a UEA member audit recently revealed BOLI is including on its "Request for Compliance Agreement" a reminder to Employers to comply with BOLI's current interpretation of daily and weekly overtime. All of these contradictory messages have created a lot of confusion amongst employers!

UEA is currently advising members to go ahead and pay weekly or daily overtime, but be wary that doing so carries a *slight* risk of putting you at odds with BOLI.

We believe it is highly unlikely that BOLI will attempt to enforce a rule that contradicts a court's interpretation. Legislation should clarify very soon how to go about paying overtime, and our understanding is that it will direct manufacturers and employers in this class to pay the greater of daily or weekly overtime, and not both.

Stay tuned for future updates on manufacturing overtime from UEA!

Have questions about how this applies to your workplace? We are here to help!

Please reach out with any questions via email to jtowne@unitedemployers.org, or call (503) 595-2170.