

# OREGON MINIMUM WAGE



**MINIMUM WAGE**  
**\$8.40**  
per hour beginning January 1, 2009  
through December 31, 2009

All employers must comply with state laws regulating payment of minimum wage, overtime and general working conditions.

### General Working Conditions

- ▶ **Overtime:** Unless exempt, employees must be paid time and one-half the regular rate of pay for any time worked over 40 hours a week.
- ▶ **Tips:** Employers may not use tips as credit toward minimum wages owed to an employee.
- ▶ **Deductions:** Employers may make deductions for the fair market value of meals or lodging provided for the private benefit of the employee as well as those deductions which are required by law or provided for in a collective bargaining agreement. An itemized statement of deductions made from wages must be provided with each paycheck.
- ▶ **Time and payroll records** must be kept for at least two years.
- ▶ **Regular paydays** must be established and maintained. A pay period may not exceed 35 days.
- ▶ **Meal periods** of 30 minutes must be provided if the workday is six hours or longer. The employee must be relieved of all duty during this time. If the employee cannot be relieved due to the nature or circumstances of the work, then the meal period must be paid. The scheduling of meal periods is flexible and depends on the length of the workday.
- ▶ **Paid rest periods** of at least 10 minutes for adults (15 minutes for minors) must be provided during each four-hour work period or major part of four hours worked. (There are narrow exemptions for adult employees working alone in retail/service establishments.)

Meal and rest periods may not be waived or used to adjust working hours; however, meal and rest period provisions may be modified by the terms of a collective bargaining agreement. Certain employers are required to provide additional rest periods to employees to express milk for a child.

- ▶ **Final paychecks:** If an employee is fired, the final paycheck is due no later than the end of the first business day after the discharge. If an employee quits with 48 hours or more notice, wages are due the last working day (excluding Saturdays, Sundays and holidays). If an employee quits without at least 48 hours notice, wages are due in five days (excluding Saturdays, Sundays and holidays) or on the next payday, whichever occurs first. (There are some exceptions. Contact the nearest Bureau of Labor and Industries office for information.)

### Employment of Minors

- ▶ Employers must have an Employment Certificate, validated by the Bureau of Labor and Industries, before they hire minors.
- ▶ An employer must post the validated certificate in a conspicuous place where all employees can readily see it.

### Working Hours

- For 14 and 15-year-olds:**  
**When school is in session:**
- ▶ Three hours per day on school days.
  - ▶ Eight hours per day on non-school days, 18 hours per week maximum.
  - ▶ Only between the hours of 7 a.m. & 7 p.m.
  - ▶ Working is not allowed during school hours.

### When school is not in session:

- ▶ Eight hours per day.
  - ▶ 40 hours per week maximum.
  - ▶ From June 1 through Labor Day: 7 a.m. to 9 p.m.
- For 16 and 17-year-olds:**
- ▶ Any hours.
  - ▶ 44 hours per week maximum.

### Working Conditions

- ▶ **Meal periods** of at least 30 minutes must be provided no later than five hours and one minute after the minor reports to work. Fourteen and 15-year-olds must be fully relieved of work duties during this time. Sixteen and 17-year-old employees may work during a meal period if the nature or circumstances of the job require it, but must be paid for their time.
- ▶ **Paid rest periods** of at least 15 minutes must be provided during each four hours (or major portion) of work time.
- ▶ Minors may not be employed in dangerous occupations. Contact the Bureau of Labor and Industries for complete information.
- ▶ **Adequate work** must be provided if the employer requires the minor to report to work. Adequate work means enough work (or compensation in lieu of work) to earn at least one half of the scheduled day's earnings.
- ▶ Special rules apply to minors working in agriculture. These rules are available from your nearest Bureau of Labor and Industries office.

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### For Additional Information:

<i>Call the nearest office of the Bureau of Labor and Industries:</i>		<i>Or Write:</i>
Eugene ..... 541-686-7623	Portland ..... 971-673-0761	Bureau of Labor and Industries
Medford ..... 541-776-6270	Salem ..... 503-378-3292	Wage and Hour Division
	Technical Assistance..... 971-673-0824	800 NE Oregon #1045
		Portland, Oregon 97232-2180

**PENALTIES: Willful failure to pay wages due to an employee upon termination may be penalized by continuation of the employee's wages up to a maximum of 30 days.**

This is a summary of Oregon's laws relating to minimum wage, working conditions and the employment of minors. It is not a complete text of the law.

**THIS INFORMATION MUST BE POSTED IN A CONSPICUOUS LOCATION**