

STATEMENT OF NEED AND FISCAL IMPACT

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Bureau of Labor and Industries, Wage and Hour Division

839

Agency and Division

Administrative Rules Chapter Number

Relating to the provision of rest and meal periods to employees.

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of: Rules pertaining to rest and meal periods

Statutory Authority: ORS 651.060(4); 653.261

Other Authority:

Stats. Implemented: ORS 653.261

Need for the Rule(s): The rule amendment is needed to address the provision of rest and meal periods to employees, including factors to be considered in determining when an employee is prevented from receiving regularly scheduled meal and rest periods.

Documents Relied Upon, and where they are available:

Fiscal and Economic Impact:

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)): Impacts are not known at this time because an Administrative Rule Advisory Committee is meeting to determine and recommend provisions for the proposed rule amendments. An amended Statement of Need and Fiscal Impact will be filed when the possible impacts are known.

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small businesses and types of business and industries with small businesses subject to the rule:

It is estimated that there are approximately 95,494 small businesses with fewer than 50 employees in Oregon.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services: Costs cannot be quantified at this time because an Administrative Rule Advisory Committee is meeting to determine and recommend provisions for the proposed rule amendments. An amended Statement of Need and Fiscal Impact will be filed when the estimated costs are known.

c. Equipment, supplies, labor and increased administration required for compliance: Costs cannot be quantified at this time because an Administrative Rule Advisory Committee is meeting to determine and recommend provisions for the proposed rule amendments. An amended Statement of Need and Fiscal Impact will be filed when the estimated costs are known.

How were small businesses involved in the development of this rule? Small businesses are represented on the Advisory Committee.

Administrative Rule Advisory Committee consulted?: yes

If not, why?:

Christine N Hammond

Christine Hammond, Administrator, Wage and Hour Division

10/15/08

Signature

Printed name

Date