



BUREAU OF LABOR AND INDUSTRIES
Brad Avakian, Commissioner
WAGE AND HOUR DIVISION

WRITTEN REQUEST OR CONSENT TO WORK MORE THAN 55 HOURS/WORKWEEK
IN SPECIFIED ESTABLISHMENTS

Pursuant to Oregon Revised Statute (ORS) 652.020 and ORS 653.265, an employer may not require or permit an employee employed in a mill, factory or manufacturing establishment or a cannery, drier or packing plant to work more than 55 hours in any one workweek. However, an employer may permit an employee to work up to 60 hours in one workweek if the employee requests or consents in writing to work more than 55 hours in the workweek. The request/consent form below may, but is not required, to be used for this purpose.

Workweek is defined as a fixed period of time established by an employer that reflects a regularly recurring period of 168 hours or seven consecutive 24-hour periods. A workweek may begin on any day of the week and any hour of the day and need not coincide with a calendar week. The beginning of the workweek may only be changed by the employer if the change is intended to be permanent and is not designed to evade overtime requirements.

ORS 653.260 and ORS 653.265 also provide qualifying employers with an undue hardship period exemption from the restrictions on the maximum workweek hours established by ORS 653.260 and ORS 653.265 if the employer, in the ordinary course of the employer's business, processes perishable products. Employers claiming an undue hardship exemption must file a notice (WH-262) with the Bureau of Labor and Industries. When an undue hardship exists, an employee may consent in writing to work up to 84 hours per workweek for four workweeks and up to 80 hours per workweek for any remaining workweeks in the undue hardship period. A separate consent form (WH-263) is to be used for this purpose.

For more information about Oregon's wage and hour regulations and the restrictions on maximum work hours for employees in these establishments, visit www.oregon.gov/boli or contact:

Bureau of Labor and Industries (BOLI)
Wage and Hour Division
800 NE Oregon, Suite 1045
Portland, Oregon 97232
whd.screener@state.or.us
Telephone: (971) 673-0761

EMPLOYEE REQUEST/CONSENT

By signing this agreement, I (check one) request consent to work more than 55 hours and up to 60 hours in a workweek. I understand that I may withdraw this request/consent at any time by providing written notice to the employer at least seven calendar days prior to the start of the workweek in which I no longer consent to work over 55 hours.

Printed Name of Employee

Signature of Employee

Date

It is a violation of the law for an employer to coerce any employee in a cannery, drier or packing plant into consenting to work more than 55 hours in one workweek. Employers who have been determined by the Commissioner of the Bureau of Labor and Industries to have coerced an employee may be assessed civil penalties. For more information or to report violations or allegations that an employer has coerced or is coercing any employee, contact the Bureau of Labor and Industries at the address or telephone number above.