

Employment Laws for Every Size

As a business owner, your obligation to comply with myriad state and federal employment laws begins when you hire your first employee. As you grow your business and take on additional employees, your obligation increases with the size of your workforce. Not every employment law applies to every sized business and you should know the thresholds for compliance. PBSI is in the business of helping you comply with these laws, and education is the first step to compliance.

1 or more employees:

- Wage and hour laws (minimum wage, overtime, paydays, working conditions, etc.)
- Anti-discrimination laws (covering race, religion, gender, sexual orientation, national origin, marital status, age, etc.) including Oregon's Equal Pay Law and Workplace Fairness Act
- Verify employment eligibility on the I-9 Form
- New hire reporting obligations
- Unpaid, protected Oregon Sick Leave

6 or more employees:

- Crime Victims and Victims of Domestic Violence leave laws
- Obligations to re-employ injured workers to an available, suitable light duty job w/in 3 years of the date of injury
- Oregon equivalent to the Americans with Disabilities Act, requiring reasonable accommodation of disabled and pregnant employees
- Paid Oregon Sick Leave (for employers in Portland)

10 or more employees:

- OSHA injury and illness record-keeping requirements
- Paid Oregon Sick Leave (for Oregon employers outside Portland)

20 or more employees:

- COBRA laws apply for employers with a group health insurance plan

21 or more employees:

- Obligation to re-employ injured workers released to full duty to their original position for up to 3 years from the date of injury

25 or more employees:

- Oregon Family Leave Act (OFLA), granting eligible employees protected, unpaid leave during a serious health condition, a family member's serious health condition, or for parental leave
- Oregon Military Family Leave Act (OMFLA) for spouses and same sex domestic partners of military members called to active duty or on leave from duty

50 or more employees:

- Federal Family Medical Leave Act (FMLA), granting similar (but not identical) rights as OFLA
- Federal contractors required to file EEO-1 report

100 or more employees:

- Non-federal contractors must file the EEO-1 report
- WARN act, requiring 60 days advance notice of mass layoffs or plant closings

This information is provided as a service to our clients but should not be construed as specific advice. PBSI is not a law firm and cannot render legal advice. If you have any questions regarding the applicability of any law, rule, or regulation to your particular situation, we advise you to consult with legal counsel.