



**EMPLOYEE CONSENT TO WORK MORE THAN 60 HOURS IN A WORKWEEK
IN SPECIFIED ESTABLISHMENTS DUE TO EMPLOYER’S UNDUE HARDSHIP**

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 require or permit an employee to work up to 60 hours in one workweek if the employee requests or consents in writing to work up to 60 hours in the workweek. A request/consent form available from the Bureau of Labor and Industries (WH-261) may, but is not required, to be used for this purpose.

In addition, an employer is eligible for an undue hardship period exemption from the restrictions on the maximum workweek hours established by ORS 652.020 and ORS 653.265 if the employer, in the ordinary course of the employer’s business, processes perishable products. As used in ORS 652.020 and ORS 653.265, a perishable product is any product that may spoil, deteriorate or undergo other material changes that render it unsuitable for the use for which it was produced. Perishable products include agricultural crops, meat and fish. An employer may be eligible for more than one undue hardship period exemption in a calendar year. However, the combined total duration of the employer’s undue hardship period exemptions may not exceed 21 workweeks in a calendar year.

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.

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

_____ is claiming that the undue hardship exception to the maximum hours provisions of the law applies to its operations for the following reason(s):

EMPLOYEE CONSENT

By signing this agreement, I consent to work up to 84 hours per workweek for four workweeks and up to 80 hours per workweek for any remaining workweeks during the period beginning on _____ and ending on _____. I understand that I may withdraw this consent at any time in writing 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 the hours described above.

Printed Name of Employee

Signature of Employee

Date

It is a violation of the law for an employer to coerce any employee in a mill, factory or manufacturing establishment 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.