

# Business quiet on new wage rules

By PARIS ACHEN  
Capital Bureau

The business community was nearly absent from a public hearing Monday on draft rules for how itinerant employees will be paid under Oregon's new regional minimum wage law.

The law sets three different regional minimum wage rates. It pays workers the highest rate in the Portland metro area, the lowest rate in most coastal and rural areas and a mid-level rate elsewhere in the state.

The proposed rules require employers to pay the regional wage that applies in the location where the employee actually worked in a given week, unless the employee was working outside of their regular location for an "incidental period of time." Incidental is defined as less than four hours per week.

About 20 people, a combination of workers and labor activists, turned out at the hearing at the Bureau of Labor and Industries to speak in favor of the proposal. Some speakers requested that the labor bureau define an "incidental period of time" as one hour instead of four hours.

Melchor Rodriguez, a janitor from Beaverton who is a member of the Service Employees International Union 49, said the proposed rules would help him because he often cleans buildings in different cities. He said the rules also would help prevent employers from abusing the system by locating in a region with the lowest minimum wage and dispatching their employees to the Portland area, where wages and cost of living are greater.

Kate Newhall of Family Forward Oregon, which supported the new law, said the intent of the regional minimum wage was to "recognize we want people working fulltime to not live in poverty" and to take "into consideration cost variations in the state." She said the proposed rules were in line with that intent.

Representatives from business and industry have indicated the proposed rules would be too onerous for business.

Amanda Dalton who represents Northwest Grocery Association and other agriculture groups issued a statement after the hearing that employee wages should be based on where the employee regularly reports to work, not on where the employee works for a temporary period of time.



Paris Achen/Pamplin Media Group  
**Janitor Melchor Rodriguez speaks to the Bureau of Labor and Industries April 25, 2016, about proposed rules for Oregon's new regional minimum wage law.**

"Setting any hourly threshold, whether it is four hours or two hours or even one hour in the higher regions as some have proposed, is arbitrary and requires employers and employees to track their location throughout the day and work week, resulting in massive paperwork and record keeping," Dalton said. "We were told this new law would be as simple as possible for employees and employers. That is not what we are seeing in the draft rules."

Only one employer turned up at Monday's hearing.

Pieper Sweeney of Country Heritage Farm in Yamhill County said it would be difficult to track hours employees spend in rush hour traffic moving from one minimum wage zone to another.

"We want to do the right thing," Sweeney said. "If it is simple for us to use, it makes it a lot easier."

"I was actually hoping there would be more business owners here so I could hear their concerns," said Sen. Michael Dembrow, D-Portland, who was active in developing the new minimum wage law. "My understanding is most of that is going to come from written comments. For many of them, Portland is a long trip."

As of Monday, the labor bureau had received only two written comments, said Paloma Sparks, the agency's legislative director.

The labor bureau will accept public

comments on the proposed rules until May 23, Sparks said.

Labor Commissioner Brad Avakian plans to finalize the rules by June.

The first-of-its-kind law takes effect July 1, bumping up the state's minimum wage from \$9.25 to \$9.75 statewide. In 2017, wage increases will diverge according to region.

Under the law, the minimum gradually climbs to \$14.75 in 2022 in the Portland urban growth boundary, which includes parts of Multnomah, Washington and Clackamas counties. It will rise to \$13.50 in Benton, Clatsop, Columbia, Deschutes, Hood River, Jackson, Josephine, Lane, Lincoln, Linn, Marion, Polk, Tillamook, Wasco and Yamhill counties, and parts of Multnomah, Clackamas and Washington counties outside Portland's urban growth boundary.

In rural areas, the wage increases to \$12.50. Those areas include Malheur, Lake, Harney, Wheeler, Sherman, Gilliam, Wallowa, Grant, Jefferson, Baker, Union, Crook, Klamath, Douglas, Coos, Curry, Umatilla and Morrow counties.

That's when the proposed rules could become complicated for some employers. For example, an employee who works in Salem for 35 hours and in Portland for five hours per week in 2017 would earn \$10.25 per hour for the time in Salem and \$11.25 per hour for the time in Portland.

# Ammon Bundy questions authority of feds to prosecute him

By STEVEN DUBOIS  
Associated Press

PORTLAND — Lawyers for Ammon Bundy revealed plans to contest the authority of the federal government to prosecute their client for the takeover of a national wildlife refuge in Oregon.

Attorney Lissa Casey says in court papers that a forthcoming motion to dismiss the case will challenge the federal government's assertion that it has ownership of the Malheur National Wildlife Refuge.

"The federal government relinquished the land when it was previously deeded and homesteaded, thus relinquishing jurisdiction," Casey wrote.

Moreover, she said, the defendant intends to argue the government largely lost the right to own land inside Oregon once statehood was achieved.

The U.S. Supreme Court, however, has twice ruled that the government owns the land in question, presenting an uphill climb for the attorneys.

"We look forward to Ammon Bundy's attempt to re-litigate 200 years of jurisprudence regarding the property clause, and the 1935 Supreme Court case that specifically established the American people's ownership of the Malheur National Wildlife Refuge," Jennifer Rokala, executive director of the Center for Western Priorities, said in a statement posted on the organization's website.

Bundy and his followers seized the refuge Jan. 2 in a protest over federal land policy and the imprison-

ment of two local ranchers who set fires. A Jan. 26 traffic stop led to Bundy's arrest and the shooting death of occupier Robert "LaVoy" Finicum.

A September trial has been scheduled for Bundy and the more than two dozen others who took part in the takeover that eventually ended in February. Bundy pleaded not guilty to conspiracy and gun charges.

Bundy's lawyers presented the basics of their argument while asking a federal judge to extend the deadline for filing motions to dismiss the case. Casey said evidence must be produced regarding chain of title and actions or inaction of the government.

"Given the complexities of the evidence involved, it is not a simple legal argument that can be briefed and expedited for the Court," she wrote.

Bundy's views on the federal government should get an extensive airing at his upcoming trial. Though often described as anti-government, Bundy has said that's not the case. He said the federal government has a responsibility to protect the states from outside invaders. When critics pointed out that his company got a \$530,000 loan through the Small Business Administration, he noted that he's only opposed to federal policies that go against the people's will.

Bundy, meanwhile, is due to return to a Portland jail early this week. He was flown to Las Vegas nearly two weeks ago to make a court appearance on charges related to an armed standoff at his father's Nevada ranch in 2014.

## Corrections

The *East Oregonian* works hard to be accurate and sincerely regrets any errors. If you notice a mistake in the paper, please call 541-966-0818.



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## AccuWeather.com Forecast

TODAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Sun and clouds	Cloudy	Nice with clouds and sun	Breezy with clouds and sun	Mostly sunny
PENDLETON TEMPERATURE FORECAST				
63°	42°	63°	44°	70°
42°	63°	47°	67°	44°
HERMISTON TEMPERATURE FORECAST				
67°	42°	67°	45°	75°
42°	67°	49°	73°	46°
72°	40°			

## ALMANAC

### PENDLETON

through 3 p.m. yesterday

### TEMPERATURE

HIGH	LOW
60°	40°
Yesterday	65°
Normals	65°
Records	94° (1910) 22° (1924)

### PRECIPITATION

24 hours ending 3 p.m.	0.00"
Month to date	0.37"
Normal month to date	0.97"
Year to date	4.36"
Last year to date	3.02"
Normal year to date	4.97"

### HERMISTON

through 3 p.m. yesterday

### TEMPERATURE

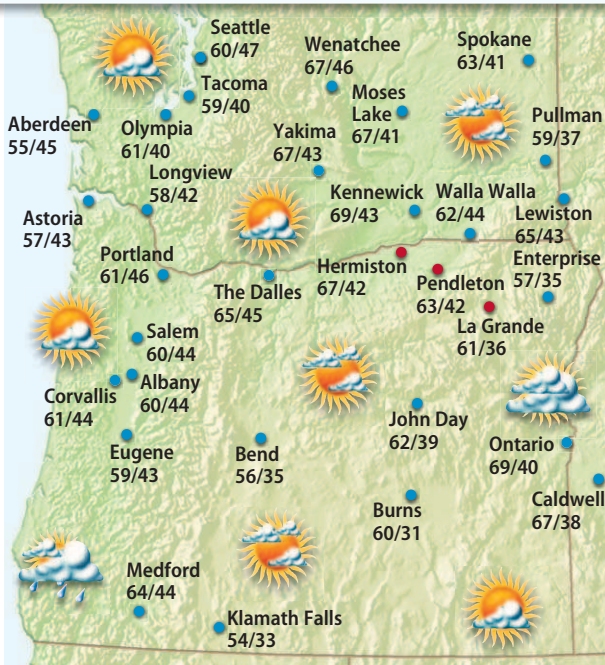
HIGH	LOW
65°	39°
Yesterday	67°
Normals	67°
Records	91° (1946) 27° (1929)

### PRECIPITATION

24 hours ending 3 p.m.	0.00"
Month to date	0.28"
Normal month to date	0.71"
Year to date	2.98"
Last year to date	1.78"
Normal year to date	3.85"

### SUN AND MOON

Sunrise today	5:50 a.m.
Sunset tonight	7:56 p.m.
Moonrise today	none
Moonset today	8:58 a.m.



## REGIONAL FORECAST

**Coastal Oregon:** Partly sunny today; an afternoon shower in spots in the south. A few showers tonight.

**Eastern and Central Oregon:** A blend of sun and clouds today; warmer. A shower near the Cascades tonight.

**Western Washington:** Partly sunny today. A passing shower tonight. A shower tomorrow.

**Eastern Washington:** Clouds and sun today. Partly cloudy tonight, but mostly cloudy toward the Cascades.

**Cascades:** Partly sunny and warmer today. Cloudy tonight with a shower.

**Northern California:** Sun and some clouds today; not as cold in the interior mountains.

## REGIONAL CITIES

	Today			Wed.		
	Hi	Lo	W	Hi	Lo	W
Astoria	57	43	pc	59	45	c
Baker City	61	30	pc	60	35	pc
Bend	56	35	pc	53	33	r
Brookings	56	46	pc	55	47	sh
Burns	60	31	pc	58	33	c
Enterprise	57	35	c	55	38	pc
Eugene	59	43	pc	60	42	r
Heppner	62	39	pc	60	40	c
Hermiston	67	42	pc	67	45	c
John Day	62	39	pc	60	40	r
Klamath Falls	54	33	pc	54	33	sh
La Grande	61	36	pc	59	41	c
Meacham	58	34	pc	57	40	c
Medford	64	44	pc	61	44	r
Newport	54	45	pc	55	45	r
North Bend	57	47	pc	58	48	r
Ontario	69	40	c	67	45	pc
Pasco	68	41	pc	70	42	c
Pendleton	63	42	pc	63	44	c
Portland	61	46	pc	64	45	c
Redmond	59	32	pc	58	30	r
Salem	60	44	pc	61	43	r
Spokane	63	41	pc	67	43	c
Ukiah	58	34	pc	56	37	c
Vancouver	58	44	pc	62	42	c
Walla Walla	62	44	pc	64	45	c
Yakima	67	43	pc	68	42	c

## WORLD CITIES

	Today			Wed.		
	Hi	Lo	W	Hi	Lo	W
Beijing	76	54	pc	67	51	pc
Hong Kong	86	76	t	83	74	c
Jerusalem	87	61	s	73	52	s
London	50	36	sh	51	34	sh
Mexico City	82	48	pc	85	49	pc
Moscow	61	50	sh	61	48	r
Paris	50	36	sh	53	34	c
Rome	65	55	t	66	52	t
Seoul	82	54	pc	74	48	pc
Sydney	72	58	s	74	60	s
Tokyo	73	59	pc	68	57	c

## WINDS

(in mph)	Today	Wednesday
Boardman	WSW 6-12	W 4-8
Pendleton	W 6-12	NW 4-8

## UV INDEX TODAY

1 3 6 6 3 1

8 a.m. 10 a.m. Noon 2 p.m. 4 p.m. 6 p.m.

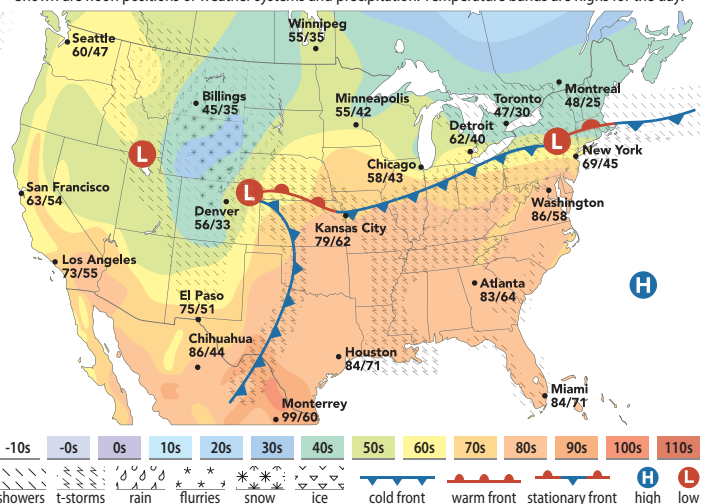
0-2, Low; 3-5, Moderate; 6-7, High; 8-10, Very High; 11+, Extreme

The higher the AccuWeather.com UV Index™ number, the greater the need for eye and skin protection.

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## NATIONAL WEATHER TODAY

Shown are noon positions of weather systems and precipitation. Temperature bands are highs for the day.



**National Summary:** Rain and thunderstorms will extend from the Midwest to the Northeast today. Severe storms with tornadoes will erupt over the Plains. Rain will soak the northern High Plains. The Pacific coast will be dry.

**Yesterday's National Extremes:** (for the 48 contiguous states)  
High 101° in Laredo, Texas Low 16° in Saranac Lake, N.Y.

## NATIONAL CITIES

	Today			Wed.			Today			Wed.			
	Hi	Lo	W	Hi	Lo	W	Hi	Lo	W	Hi	Lo	W	
Albuquerque	60	41	pc	69	46	s	Louisville	82	65	t	78	65	t
Atlanta	83	64	s	85	69	pc	Memphis	86	70	pc	79	67	t
Atlanta City	74	49	t	56	45	pc	Miami	84	71	pc	84	72	pc
Baltimore	86	54	t	64	51	c	Millwaukee	48	38	c	50	38	c
Billings	45	35	c	48	35	c	Minneapolis	55	42	c	56	38	r
Birmingham	85	65	s	83	68	pc	Nashville	86	66	c	82	65	pc
Boise	65	43	c	65	43	pc	New Orleans	83	72	pc	86	73	t
Boston	45	37	r	55	40	s	New York City	69	45	t	67	46	s
Charleston, SC	84	64	s	86	66	pc	Oklahoma City	81	58	t	80	51	s
Chicago, IL	82	59	t	78	61								