

Attorney General's Opportunity to Improve Oregon for Working Families

Oregon's Attorney General is charged with several foundational duties including representing the State in legal proceedings, enforcing laws that protect consumers, and holding corporations accountable when they violate laws. The Attorney General also works on emerging issues, such as violations of labor laws. Other states' attorneys general have taken various approaches to significantly expanded that role by creating labor bureaus within their offices.

Oregon has the opportunity to learn from other states' successes and build a new labor enforcement team within the Department of Justice.

Oregon's Opportunities

- **Opportunity to Protect Workers from Wage Theft** – New York Attorney General's investigation uncovered internal documents produced by Domino's showing that over a two-year period, 78% of New York franchisees listed rates for at least some employees below the required minimum wage, and 86% listed rates below the required overtime rate. The investigation ended in a \$480,000 settlement for hundreds of workers. [Press Release](#)
- **Opportunity to Stop Harmful practices like On-Call Scheduling** – A coalition of attorneys general from seven states and the District of the Columbia joined New York in issuing joint letters to other major retail chains over their use of on-call scheduling. This work led to major corporations agreeing to end their usage of on-call scheduling, relieving more than 50,000 workers nationally from this inequitable scheduling practice. [Press Release](#)
- **Opportunity to Protect Workers from Misclassification** – California Attorney General's Underground Development Unit has pursued criminal charges against companies for submitting false payroll reports, misclassifying workers or for failure to pay payroll taxes. In 2010, the Unit brought criminal charges against a concrete company for payroll tax fraud, workers compensation insurance fraud, and failing to pay appropriate employee taxes. [Press Release](#)
- **Opportunity to Defend Workers from Union Busting**
 - In 2019, 25 attorneys general submitted comments regarding a proposal by the National Labor Relations Board (NLRB) that would narrow the definition of a joint employer, making it harder to hold higher-level companies "up the chain" liable for workplace violations. [Press Release](#)
 - A coalition of 16 attorneys general filed an amicus brief with the Supreme Court defending workers' rights in *Glacier Northwest Inc v. International Brotherhood of Teamsters Local Union No. 174* to support workers actions in striking against their employer. [Press Release](#)



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- **Opportunity to Protect Workers from Unfair Non-Compete Agreements**
 - In 2018, a coalition of 11 attorneys general conducted a multi-state investigation of eight national fast-food franchisors about the "no-poach" agreements in their franchise contracts and secured agreements from all but one stipulating that the companies would stop using these agreements and stop enforcing them. [Press Release](#)
- **Opportunity to Protect Workers and Consumers from Tip Stealing**
 - In 2019, the D.C Attorney General alleged that from 2017 until 2019, DoorDash misled consumers to believe that their tips would increase worker pay, when, in fact, tips were used to subsidize DoorDash's payments to its workers. DoorDash has since revised its tips policy and as part of the settlement, DoorDash paid \$1.5 million in relief to delivery workers, \$750,000 to the District, and donate \$250,000 to charities. [Press Release](#)
- **Opportunity to Protect Minors Against Child Labor Violations**
 - The Massachusetts Attorney General's Fair Labor Division has conducted investigations of fast-food franchises following complaints that minors were working far later and much longer hours than permitted by child labor laws. In 2020, settlements were reached with Chipotle for \$1.87 million for an estimated 13,253 child labor violations and Wendy's for \$400,000 for an estimated 2,100 violations and both implemented new trainings and changed business practices. [Press Release](#)
- **Opportunity to Protect Workers from Sexual Harassment**
 - In 2017, Washington State Attorney General filed a lawsuit against Horning Brothers, LLC, a Quincy-based agricultural company, for sexual harassment of multiple female agricultural workers, discriminatory hiring and sex-segregated employment practices and retaliation against workers who reported the improper conduct. [Press Release](#)

Oregon has the opportunity to support working families the same way other states' attorney generals have expanded their roles. Dan Rayfield will build out our **new labor enforcement team** to ensure all Oregonians' rights are protected.



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