



Oregon

Kate Brown, Governor

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BULLETIN NO. 271 (Revised) June 29, 2018

TO: Worker leasing companies, workers' compensation insurers, self-insured employers, service companies, and other interested parties

SUBJECT: Applications for Oregon worker leasing license

EFFECTIVE: July 1, 2018

This bulletin describes application requirements for an Oregon worker leasing license under Oregon Revised Statute (ORS) 656.850 and Oregon Administrative Rule (OAR) 436-180-0140, and provides instructions for completing application forms.

The division is republishing this bulletin to incorporate significant revisions to the worker leasing rules. Effective July 1, 2018, OAR 436-050-0400 through OAR 436-050-0480 have been replaced by new rules in OAR 436-180.

This bulletin provides the following forms:

- Form 2466, "Worker Leasing License Application" (revised)
- Form 5362, "Worker Leasing License Application – Limited" (new)
- Form 5364, "Worker Leasing License Application – Renewal" (new)
- Form 5380, "Worker Leasing Application Disclosure Addendum" (new)

This bulletin replaces Bulletin 271 dated Jan. 7, 2013.

Under ORS 656.850, persons performing services as a worker leasing company in Oregon must have a license issued by the Department of Consumer and Business Services. To qualify for an Oregon worker leasing license, a person must:

- Be an Oregon corporation or other legal entity registered with the Oregon Secretary of State, Corporations Division, and authorized to conduct business in this state, or be a municipal or public corporation;
- Maintain workers' compensation coverage under ORS 656.017;
- Submit the appropriate application form and be approved for licensure; and
- Upon approval, pay the required licensing fee of \$2,050.

GENERAL INSTRUCTIONS FOR COMPLETING THE APPLICATION

Application for full license

Most applicants for an initial license must complete Form 2466, "Worker Leasing License Application," and provide the required supporting documentation.

If approved, the license will be valid for two years after the date it was issued. To renew a full license, the worker leasing company must submit a completed Form 5364, “Worker Leasing License Application – Renewal,” at least 90 days before the expiration date of the current worker leasing license. Any supplemental information necessary to establish a complete renewal application must be submitted at least 45 days before expiration of the current license to avoid delays in processing.

Application for limited license

An applicant that qualifies for a limited license under OAR 436-180-0140(4) may apply for an initial license using Form 5362, “Worker Leasing License Application - Limited.”

To qualify for a limited license, a worker leasing company must:

- Be licensed or certified in one of the following states: Alabama, Florida, Illinois, Indiana, Michigan, Montana, North Carolina, South Carolina, or Texas;
- Have no more than two Oregon clients;
- Have no more than a total of five leased workers in Oregon;
- Be domiciled in a state other than Oregon;
- Not maintain an Oregon location; and
- Not directly solicit clients located or domiciled in Oregon.

If approved, the limited license will be valid for two years after the date it was issued. To renew a license, the worker leasing company must submit an updated Form 5362 at least 90 days before the expiration date of the current worker leasing license. Any supplemental information necessary to establish a complete renewal application must be submitted at least 45 days before expiration of the current license to avoid delays in processing.

If the licensee no longer qualifies for a limited license, it must submit a completed Form 2466 within 30 days of no longer qualifying.

NOTE: A worker leasing company that is certified by the Employer Services Assurance Corporation (ESAC) may submit application materials through the Electronic Multi-State Application and Compliance System. ESAC certification does not guarantee your application will be approved.

Changes to application information: The worker leasing company must notify the Workers’ Compensation Division of any changes to information that is required by the application within 30 days of the effective date of the change or knowledge of incorrect information.

Application documents can be found on the [Worker Leasing Program](#) webpages. If you have questions about this bulletin or the application process, contact the Worker Leasing Program at 503-947-7544 or email WorkerLeasing.WCD@oregon.gov.

/s/ Louis Savage

Louis Savage, Administrator
Workers’ Compensation Division

Distribution: WCD-LY, GovDelivery mailing lists

Attachment: [Form 2466, “Worker Leasing License Application”](#) (Rev. 7/18)
[Form 5362, “Worker Leasing License Application – Limited”](#) (Eff. 7/18)
[Form 5364, “Worker Leasing License Application – Renewal”](#) (Eff. 7/18)
[Form 5380, “Worker Leasing Application Disclosure Addendum](#) (Eff. 7/18)