



**Oregon**

Tina Kotek, Governor



Workers'  
Compensation  
Division

Department of Consumer  
and Business Services

**BULLETIN NO. 387 (Revised)**  
**May 16, 2024**

**TO:** Workers' compensation insurers, self-insured employers, and employers

**SUBJECT:** Coverage requirements for casual labor under ORS 656.027(3)

**EFFECTIVE:** July 1, 2024

**This bulletin provides guidance on determining whether employment is “casual” under Oregon Revised Statute (ORS) 656.027(3), and Oregon Administrative Rule 436-050-0045(1). This bulletin replaces Bulletin 387 dated May 26, 2023.**

Under Oregon law, employers must provide workers' compensation coverage to all workers they employ, except for workers who fall under a specific exclusion. Workers who fall under a specific exclusion are called “nonsubject workers.”

ORS 656.027(3)(a) provides that a worker is nonsubject when the worker's employment is considered casual and one of two conditions are met:

(A) The employment is not in the course of the trade, business or profession of the employer; or

(B) The employment is in the course of the trade, business or profession of a nonsubject employer.

Employment is “casual” when the total labor cost for that employment is less than a certain amount in any 30-day period, regardless of the number of workers employed. If an employer's total labor cost equals or exceeds that amount in any 30-day period, the employer must provide coverage on a going-forward basis. **Effective July 1, 2024, employment is casual when the total labor cost is below \$1,091.84.**

Under ORS 656.027(3)(b), the total labor cost must be adjusted annually on July 1 by the same percentage increase, if any, as is made to the Oregon state average weekly wage (SAWW). See [Bulletin 111](#) for more information about the SAWW.

If you have questions about this bulletin, contact the Workers' Compensation Division, Employer Compliance Unit, at 888-877-5670 or [wcd.employerinfo@dcbs.oregon.gov](mailto:wcd.employerinfo@dcbs.oregon.gov).

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<b>Total labor cost threshold</b>			
	Applicable SAWW	Percentage increase	Casual labor threshold
1/1/2022 – 6/30/2022	\$1,247.13	N/A	\$1,000.00
7/1/2022 – 6/30/2023	\$1,325.24	6.263%	\$1,062.63
7/1/2023 – 6/30/2024	\$1,295.86	0.000%*	\$1,062.63
7/1/2024 – 6/30/2025	\$1,331.48	2.749%	\$1,091.84
<p><i>* Under ORS 656.027(3)(b), the total labor cost must be adjusted annually on July 1 by the same percentage <b>increase</b>, if any, as is made to the Oregon average weekly wage. If the average weekly wage does not change or decreases, amounts will not be adjusted for that year.</i></p>			