

Oregon Statutes Relating to Officiating

1. *Independent Contractors – Minimum Wage Exclusion:*

670.610 Referees in recreational soccer matches considered independent contractors. Notwithstanding ORS 670.600, for purposes of ORS chapter 653, a person serving as a referee or assistant referee in a youth or adult recreational soccer match shall be considered to be an independent contractor. [2001 c.765 §3; 2005 c.94 §116]

Note – ORS Chapter 653 is the Minimum Wage chapter, therefore this statute does not establish soccer officials as independent contractors for any other purpose.

ORS 670.600 is the general independent contractor statute.

Unemployment Insurance Exclusion:

657.088 Employment; certain sports officiating services excluded. (1) As used in this chapter, “employment” does not include officiating services performed by individuals in recreational, interscholastic or intercollegiate sporting events or contests.

(2) As used in this section:

(a) “Officiating services” means overseeing the play of a sporting event or contest, judging whether the rules are being followed and penalizing participants for infringing the rules.

(b) “Sporting event or contest” means any sporting competition in which the participants are not professional athletes or contestants or are not remunerated for their participation.

(3) Subsection (1) of this section does not apply to officiating services performed for:

(a) A **nonprofit employing unit**

(b) This state;

(c) A political subdivision of this state; or

(d) An Indian tribe. [2011 c.106 §2]

657.010 Definitions. As used in this chapter, unless the context requires otherwise:

(11) “**Nonprofit employing unit**” means an organization, or group of organizations, described in section 501(c)(3) of the Internal Revenue Code that is exempt from income tax under section 501(a) of the Internal Revenue Code.

HB 2347 effective 5-20-11

2. Exempt from worker's compensation laws:

656.027 Who are subject workers. All workers are subject to this chapter except those non subject workers described in the following subsections:

(13) A person who has been declared an amateur athlete under the rules of the United States Olympic Committee or the Canadian Olympic Committee and who receives no remuneration for performance of services as an athlete other than board, room, rent, housing, lodging or other reasonable incidental subsistence allowance, or any amateur sports official who is certified by a recognized Oregon or national certifying authority, which requires or provides liability and accident insurance for such officials. A roster of recognized Oregon and national certifying authorities will be maintained by the Department of Consumer and Business Services, from lists of certifying organizations submitted by the Oregon School Activities Association and the Oregon Park and Recreation Society.

(26) A person serving as a referee or assistant referee in a youth or adult recreational soccer match whose services are retained on a match-by-match basis.

3. Physical Contact with an Official – Civil Damages:

30.882 Award of liquidated damages to sports official subjected to offensive physical contact; attorney fees. (1) In addition to, and not in lieu of any other damages that may be claimed, a plaintiff who is a sports official shall receive liquidated damages in an amount not less than \$500 but not more than \$1,000 in any action in which the plaintiff establishes that:

(a) The defendant intentionally subjected the plaintiff to offensive physical contact;

(b) The defendant knew that the plaintiff was a sports official at the time the offensive physical contact was made;

(c) The offensive physical contact is made while the plaintiff is within, or in the immediate vicinity of, a facility at which the plaintiff serves as a sports official for a sports event; and

(d) The offensive physical contact is made while the plaintiff is serving as a sports official or within a brief period of time thereafter.

(2) The court shall award reasonable attorney fees to a prevailing plaintiff in an action in which liquidated damages are awarded under this section.

(3) An award of liquidated damages under this section is not subject to ORS 31.725, 31.730 or 31.735.

(4) As used in this section, "sports official" means a person who:

(a) Serves as a referee, umpire, linesman or judge or performs similar functions under a different title; and

(b) Is a member of, or registered by, a local, state, regional or national organization that engages in providing education and training in sports officiating.

[1999 c.786 §1]

4. Criminal statutes – Authority to Expel Persons

164.274 Definitions for ORS 164.276 and 164.278. As used in ORS 164.276 and 164.278:

(1) "Coach" means a person who instructs or trains members of a team or directs the strategy of a team participating in a sports event.

(2) "Inappropriate behavior" means:

(a) Engaging in fighting or in violent, tumultuous or threatening behavior;

(b) Violating the rules of conduct governing coaches, team players and spectators at a sports event;

(c) Publicly insulting another person by abusive words or gestures in a manner intended to provoke a violent response; or

(d) Intentionally subjecting another person to offensive physical contact.

(3) "Premises" has the meaning given that term in ORS 164.205.

(4) "Spectator" means any person, other than a team player or coach, who attends a sports event.

(5) "Sports official" has the meaning given that term in ORS 30.882. [2003 c.629 §1]

Note: 164.274 to 164.278 were enacted into law by the Legislative Assembly but were not added to or made a part of ORS chapter 164 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

164.276 Authority of sports official to expel persons from sports event. A sports official may order a coach, team player or spectator to leave the premises at which a sports event is taking place and at which the sports official is officiating if the coach, team player or spectator is engaging in inappropriate behavior. [2003 c.629 §2]

Note: See note under 164.274.

164.278 Criminal trespass at sports event. (1) A person commits the crime of criminal trespass at a sports event if the person:

(a) Is a coach, team player or spectator at a sports event;

(b) Engages in inappropriate behavior;

(c) Has been ordered by a sports official to leave the premises at which the sports event is taking place; and

(d) Fails to leave the premises or returns to the premises during the period of time when reentry has been prohibited.

(2) Criminal trespass at a sports event is a Class C misdemeanor. [2003 c.629 §3]

Note: See note under 164.274.