



FAMILY FORWARD OREGON

Smart policies for today's families.

Testimony before the House Committee on Rules in support of HB 3390

June 5, 2013

Chair Garrett and Members of the Committee,

My name is Andrea Paluso and I am the Executive Director of Family Forward Oregon and the chairperson for the Everybody Benefits Coalition for Paid Sick Time.

About 100 years ago the Factory Investigating Committee of New York recommended a number of laws after the tragic Triangle Waist Company fire in 1911 in New York City. One hundred and forty-six workers – mostly teenage girls – perished after the fire broke out on the 8th and 9th floors of the building. Many were locked in, with no way to escape.¹

Among others, the recommended and enacted laws required that factories install automatic sprinklers, keep factory doors unlocked during work hours, install fire escapes, give employees access to toilets and clean drinking water, reduce the work load for women to no more than 54 hours a week and 9 hours a day, and ban children under 18 from work that could injure their health and well-being.

The Triangle Factory laws established health and safety standards to protect workers, and became standards across the country – as passage of a paid sick leave law would do today. Those laws – passed about 100 years ago – were met with similar opposition from certain members of the business community as paid sick leave, and with many of the same arguments.

In 1913, a spokesperson from the Associated Industries of New York said: “These changes [in the fire code] would lead to the wiping out of industry in this state.”²

In 1913 in a memorandum submitted by the Needle Trades Associations to the Factory Investigating Commission: *“Against the bill recommending occupancy limits depending on the number of exits provided and the [number of floors], while we are in favor of a restricted occupancy...we believe that the bill in the form proposed will work great disadvantage to our trades, requiring manufacturers almost to double their area capacity in order to employ the usual amount of people that their business demands. We respectfully submit that any such procedure*

¹ Cohen, Donald. "Lessons Learned from the Triangle Waist Factory Fire." (2011).

² George Martin. Madam Secretary: Frances Perkins. Houghton Mifflin Company: Boston. 1976. Pae 108.

would not only be of great injury to the trade, but to the state, by forcing a number of these establishments to remove their factories to other states.”³

The arguments against needed labor and workplace standards are always the same: costs will rise, benefits will be cut, businesses will flee the city or state, the government is over-reaching, it harms small business or new businesses, too much bureaucracy, and the list goes on and on. These arguments were made around factory safety standards, child labor, the establishment of the minimum wage – and during every major debate about working conditions that this country has ever seen. Despite this, the market continues to operate, businesses continue to flourish, and employers continue to adapt to new standards in remarkably efficient ways.

Martin Luther King Jr. said, “the arc of the moral universe is long, but it bends toward justice.” This has been true in the fight for civil rights and for labor rights. There will always be those who will push back against change, as there will always be those who embrace it – who work toward justice.

The bill before you today is not only about an employers’ bottom line, though it doesn’t discount the importance of it either. It is about multiple bottom lines, those of workers struggling to make ends meet and those of employers who are doing the right thing in an environment that discourages it. It is about the community’s bottom line when disease spreads or health care costs increase. It is about public health, and social justice, and equity.

The process that got us to today has been a long and inclusive one. We began conversations about this issue with some of the legislators here today over 3 years ago. Over the last 18 months, and through our work to pass an ordinance in Portland, we have had tens of thousands of conversations with citizens, business owners, affected workers, advocates, parents, teachers, and many others. We have engaged in multiple policy discussions, forums and town halls.

In practice, the bill would require Oregon employers to allow their employees to earn 1 hour of sick leave for every 30 hours they work, up to a 56 hour minimum per year. Employers are encouraged to do better than this standard, but passing this law would mean Oregon employees – who work for employers of the right size – would not lose critical income or a job when they or a child they care for is sick. The -2 amendments before you reflect some changes that arose largely from the task force process in Portland that provide clarifying language around a couple of key points for employers. We submitted a memo to each of you detailing the changes the amendments include, but specifically they: clarify the ways in which an employer can investigate abuses, clarify language around finding replacement employees when another is sick, clarify that an employee must be employed for 90 days before taking any earned sick time, clarify record-keeping requirements as they pertain to cases of domestic violence, and a few others. Most importantly they outline specifically that if an employer is already allowing their employees to earn 56 hours of leave that – as long as that leave is available for the purposes of sick time – they do not need to add any additional hours.

³ National housing association. *National Housing Association: proceedings of the first National Housing Conference held in New York, June 3, 5, and 6, 1911*. Vol. 2. No. 3. Academy of Political Science, 1912.

We are supportive of efforts to develop an interim work group and to lead a large and growing coalition of supportive organizations and employers in those efforts. We commend your leadership in acknowledging this as a problem for Oregon workers and one that needs action in the near term.

Paid sick time laws address public health and economic security issues that people across the state experience right now. They also work to create the kind of Oregon where more of us can prosper, take care of our families, and keep our jobs. This law, at its core, is about how we believe working families in our state should be treated. That's why we, and the many other organizations who have joined the coalition that brought HB 3390-2 before you today will not give up.

Thank you for your consideration of this important historic legislation.