

## **Chair Doherty and Members of the Committee:**

For the record, my name is Christina Stephenson and I live in Portland. I support this bill, House Bill 2950.

I am presenting this testimony in memory of my father, Michael Stephenson. I am hopeful that my testimony will give you all some tangible connection to why this legislation is important.

My father battled colon cancer for about five years before passing away in August of 2012. In the last few months of his life I was able to take some time off under OFLA, but since it was unpaid I was only able to take a few weeks off all together. Cancer is an unpredictable tyrant and I was constantly forced to weigh my options: should I take time off to lend my support now or should I save it for when things get even worse? My father was in and out of the hospital many times but he always managed to seem so strong to me; it was hard to know, and hard to accept, that he was dying.



Even his last hospital stay, we had no idea that it would be his last. My father went into the hospital on a Saturday and that next Monday he was still telling jokes and dancing for the nurses. Tuesday things got a little worse and then Wednesday even worse. I could not leave his bedside as I didn't want to miss the chance that he might open his eyes and be able to communicate with us one last time. He passed away Wednesday night and a piece of my heart broke forever.

It is hard to adequately describe the immediate, unrelenting pain that consumed me when my father took his last breath. Time stopped. In a moment, all of the worrying, the waiting, the wondering, the ups and downs of his terrible illness, all came crashing down into the unforgiving reality that he was gone.

I remember the Monday before he died I told my mom that I thought I should take off that next day, Tuesday, to stay with my dad in the hospital and see how things went. She told me she didn't think I should because she worried I would be fired for taking too much time off. I told her that they couldn't fire me, as it was protected leave for me to be there. I learned later, though, that as soon as he died that Wednesday night, I would not be protected if I didn't come to work on Thursday.

I was lucky; I had an understanding employer that didn't fire me. When I learned a few months ago that bereavement leave was not protected, I didn't want to leave it to luck for other employees that will inevitably face this issue.

I love my work and am a diligent employee - it was hard for me to ask for the time off to come here today. While I was going through this unbearable time with my father's cancer, I was working for an employer that was severely affected by the financial crisis. Taking time off during his illness was difficult as I knew all of the things that wouldn't get done in my absence and I worried about my professional reputation. But we don't get to choose when our lives will be forever altered. To expect an employee to come back after such profound trauma benefits no one. To not protect an employee fresh in grief ignores our shared humanity and that grief will touch all of our lives at some point.

With regard to some of the specifics of the bill, I see that a version of this bill was introduced in the Senate in 2011 as SB 506. At that time there were some amendments to the Bill from the House Business, Transportation and Economic Development Committee. Among the amendments were to remove what is part of HB 2950 as Section (1)(e)(D). This section contemplates receiving counseling as an activity that would be protected under the law. When considering this bill, I encourage this committee to retain that provision, as counseling is an important part of the grief process. It is short-sighted to deprive an employee of the ability to process grief. Ultimately employers, and we as a community, want employees that are healthy, both physically and mentally.

When this bill was introduced in 2011, it passed the Senate, but not without significant opposition. The only reason I have seen given was that there are, "too many mandates." Whether that is true or not, experience has shown us that we sometimes need a law to set the minimum standards of acceptable conduct. I think we all would prefer to live in a world where we don't have to force people to have compassion. Sometimes, though, people lose sight of the right thing to do in these situations, so this law will help guide them.

**Thank you for the opportunity to testify before you today. I would be happy to answer any questions.**