

OREGON LAW CENTER

921 SW Washington, Suite 516
Portland, Or. 97205

TESTIMONY ON HB 2950
Before the Senate Business, Transportation and Economic Development
March 15th, 2013
Submitted by: Sybil Hebb

Chair Doherty, and members of the Committee:

On behalf of the Oregon Law Center I submit this written testimony in support of HB 2950, which allows eligible employees to take family leave in order to deal with the death of a family member. I apologize that circumstances prevent me from testifying in person today. Thank you for the opportunity to provide comment.

The Oregon Law Center (OLC) is a non-profit law firm whose mission is to achieve justice for low-income communities of Oregon by providing a full range of the highest quality civil legal services. The great majority of our clients are low-wage earners and work hard from paycheck to paycheck to provide the basic necessities for themselves and their family. When a family emergency comes up, they heavily rely on the protections in place in Oregon law that allow them necessary time off from work to address safety needs, care for a loved one, celebrate the birth of a child, or to recover from serious illness. The existence of these protections is vital for our clients. No one should be threatened with job loss for taking the time needed to address such important issues.

The changes put in place by HB 2950 are a logical extension of current leave protections. The bill adds “deal[ing] with the death of a family member” to the list of activities that might qualify an employee for family leave. Such leave is limited to two weeks’ time to grieve with family, attend funeral services, seek counseling, or make arrangements necessitated by the death. Leave must be completed within three months of the family member's death.

Anyone who has experienced the death of a family member knows what a struggle it is both to grieve and to take care of necessary arrangements while the rest of the world keeps going. These obligations are just as immediate as caring for a loved one or addressing an illness, yet the current law treats them differently. HB 2950 is recognition of this discrepancy. Particularly for low-income Oregonians, this bill ensures that they can fulfill their obligations and take whatever steps necessary for their own well-being without the fear that their attention to these matters might mean the loss of a much needed job. There are of course no exact formulas for grieving or timeframes for healing, but for many people the opportunity to formally acknowledge the life of the deceased at a memorial service or to take an active role in after-death arrangements can bring a sense of closure and enable them to move on.

HB 2950 is good policy from an employer perspective, as well. The bill proposes reasonable provisions that will help employees to take care of the responsibilities and grief that arise as a result of a family death. Employees in these circumstances will be able to return to work less distracted and more prepared to reengage in their work.

It is important that we acknowledge the important role that both state law and business interests have in encouraging a healthy work-life balance for Oregonians. There are many aspects of this discussion that we hope to see further addressed in coming months and sessions. Family leave is a vital protection for which we are grateful. But it is missing a critical piece. Under current law, a qualifying employee can take time off from work to care for a sick or dying family member, but cannot attend that family member's funeral or manage the often debilitating aftermath of a death. This loophole puts many Oregonians and their families in the horrific position of having to choose between their livelihood and their ability to attend a loved-one's funeral. HB 2950 is a narrowly crafted, sensible approach to closing this loophole. For these reasons, we urge its passage.

Thank you for your consideration, and do not hesitate to contact me should you have questions.

Sincerely,

Sybil Hebb
Oregon Law Center