

**Senate Workforce and House Business and Labor Committees**  
**Testimony in Support of SB 454 and HB 2005**  
**February 16, 2015**

Chair and members of the committee:

My name is Janice Elizabeth Niang and I drive a school bus for First Student for the Gresham Barlow School District, Gresham, Oregon. I speak in favor of paid sick leave, SB 454 and HB 2005.

I am a 53 year old mother and school bus driver who has lived, worked, voted, and paid taxes in Oregon from 1987 to present. I hold a bachelors degree, have been a classified teachers aid, teacher, special education educator, customer service specialist, construction laborer, farm laborer, housekeeper, and commercial janitor. At 51 I became an unemployed teacher when the alternative school I worked for was forced to close. I filed for unemployment for the first time in my life. I used the money to pay a \$500 Cobra payment each month. I had been taught by my father that health insurance was a necessity not a luxury. Having grown up in a Teamster household, I had never known a gap in my childhood health care. My age, experience, and education made getting hired more difficult than I had ever imagined. My benefits ran out before I was able to secure a job and I became desperate to find a way to reestablish my healthcare coverage. I took a job at First Student as a school bus driver. I was told that it was not a job that would result in good health or health care. I was also told by staff that the health insurance policy provided had premiums so large that paying them could land me in debt to the company and I would benefit more from applying for public health care. I applied for the Oregon Health Plan and was relieved to know I didn't have to fear being injured or sick and without coverage. I looked at my coworkers tired and sick struggling to make ends meet and listened to them talk about the misery of working sick as part of the job. I learned quickly it was more a part of the job then any job I had ever had.

First Student does not provide its employees paid sick leave and punishes employees who take off of work due to illness. There is no automatically approved leave and every missed day is assessed penalty points against your work record that accrue towards termination. If you miss three consecutive days due to illness, you can now bring in a doctor's note and get that absence excused without penalty, but only because that is something we fought to gain in the current union contract for our chapter, not due to company policy. We are warned continuously that all appointments and medical procedures must be scheduled on personal time and at all costs around work schedules.

Every day, drivers, dispatchers, and mechanics come to work growing sicker and infecting others. Driving, making critical decisions about the safety and welfare of children while sick

and unable to rest or take the needed medication to regain their health is an everyday reality for me and my coworkers. I cut my finger in the four hours between shifts but after 8 stitches were in place I was back behind the wheel. I was taught to be tough and do my job. People fight hard to meet expectations, but is working sick in the best interest of anyone? I got my flu shot, I disinfect my steering wheel, I wash my hands, yet despite my best efforts, I caught the head cold that everyone was passing. Then, although I tried to get well I became sicker.

My PM shift is from 2:05- 7:00 each day without a bathroom break. As November progressed I became sicker but worked through the increasing discomforts. By December, I was having lower back pain and knew I must have a UTI. I was unable to make a doctor appointment that didn't impact work so I struggled to drink enough water to try and flush it out and make it through until Christmas break. After a very hard Friday at work, I walked home. I was too sick to eat or drink. I thought I would rest all weekend and then I could get through the next week. I made it home but I became dizzy and couldn't stand or walk. In the midst of the terrifying vertigo attack I thought, "Dear God! What if this had happened while I was behind the wheel!" I vomited for 6 hours, my temperature was 95.5 and I could not speak, and a friend took me to the hospital. I was gravely ill. They treated me in the ER for kidney stones, severe inner ear infection and a severe Ecoli UTI. I was so weak and sick I couldn't feed or care for myself. Sunday I called dispatch and explained my situation. I was told it was very disappointing that I couldn't just find a way to come in—they were short drivers and needed me to do my job, and when did I think I could come back? Get a doctor release ASAP! The next day they called me to ask if I could at least come to an office meeting so I could get paid for something. They had a point! Not only would these days missed cost me my route pay but I would also be forfeiting my attendance bonus and holiday pay. I came in on that Wednesday for a 2 hour meeting followed by a doctor's appointment. At the appointment, I was sent directly back to the hospital ER. I called work to tell them there was not a doctor release in my near future. Nine hours later my friend had to hand carry a note to my work place letting them know I would be off work until at least January 1. Even so I was asked to attend a mandatory meeting which I struggled to do but did so because I needed the income.

My total income for the month of December was less than \$20. I was told by management that although I worked until I was too sick to go anywhere but the hospital I hadn't made the exemplary effort that other sick drivers had and that I did not deserve pay for Christmas or New Years. I had to work until my health kept me from being able to work at all!

School bus drivers are charged with the safety and welfare of the community's most precious asset, its' children, hundreds of lives. Workers that have extensive contact with the public have always been encouraged to get a flu shot, and stay home until feverless for 24 hours. We are in constant contact with sick children, become ill ourselves and a vicious

cycle is perpetuated. We can't have time off to seek medical care. We cannot take some over-the-counter medications and drive legally. We are responsible for cleaning up the vomit in our busses. I can not tell you how many ill drivers I have watched exhausted at the end of the day returning to their bus to clean up vomit instead of going home to care for themselves.

Being sick is something a school bus driver cannot afford or avoid. It is not something our employer is willing to admit, accept or accommodate. First Student will not provide its workers paid sick leave simply because it is needed. It is unfair and unsafe to expect hard working people to suffer. The rigors of their jobs do not afford them that luxury. I am still recovering and live with daily anxiety that my next illness may be a choice between my livelihood, quality of life or life threatening.

Please take what measures you can to assure that the workers in Oregon can work safely in good health and without fear that an illness will result in being placed in double jeopardy, their jobs and health in the balance.

Janice Niang