

Mark Herbert Written Testimony

My name is Mark Herbert and I am the owner and chief consultant for a management consulting firm offering services to employers in Lane County and throughout the state of Oregon.

I also spent almost 20 years as a human resources manager and executive prior to moving into a consulting role.

All of my current and the vast majority of my former clients provide for paid time off for their employees who work a requisite number of hours and meet the requirements specified in their policy.

I advise all of my current and potential clients to provide paid time off to their employees as a sound business practice to attract and retain the talent necessary to run their business.

For me the issues represented by the current bill are focused in three primary areas:

- They intrude into the employment relationship where a local entity or County is not a primary as an employer or contractor.
- They create a different set of criteria from the current OFLA regulations in terms of eligibility and other criteria which adds an additional burden especially on small employers to track and comply with the provisions, especially when each local jurisdiction has the authority to pass and enforce disparate rules and requirements.
- The bill as currently written separates and specifies **sick time** and adds definitions and eligibility criteria which again add little value and additional complexity.

The relationship between employer and employed should not be adversarial and beyond broad public policy there are a number of remedies available to employees who feel they aren't being treated fairly including collective bargaining, regulations under BOLI, and the foundational protection of employment at will which allows to them to choose their employer.

I make this statement with some small sense of irony because as a self-employed consultant not unlike many small business owners this Bill provides no protection or coverage for me....

Further as a former Human Resources professional I found the practice of requiring employees to specify the reason for an approved absence or justify it to be antagonistic and unnecessary. If an employee needs time off to deal with their own illness, the illness of a family member or any other compelling personal business matter or just a vacation day and the employee has accrued that time and the business can accommodate it for non-emergency reasons there is no value in creating criteria and hoops to jump through.

My understanding is that Representative Olson is in possession of a new bill that addresses these as well other flaws that I believe to be embedded in the current bill. I hope that the Committee(s) will give this new Bill serious consideration.